



This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

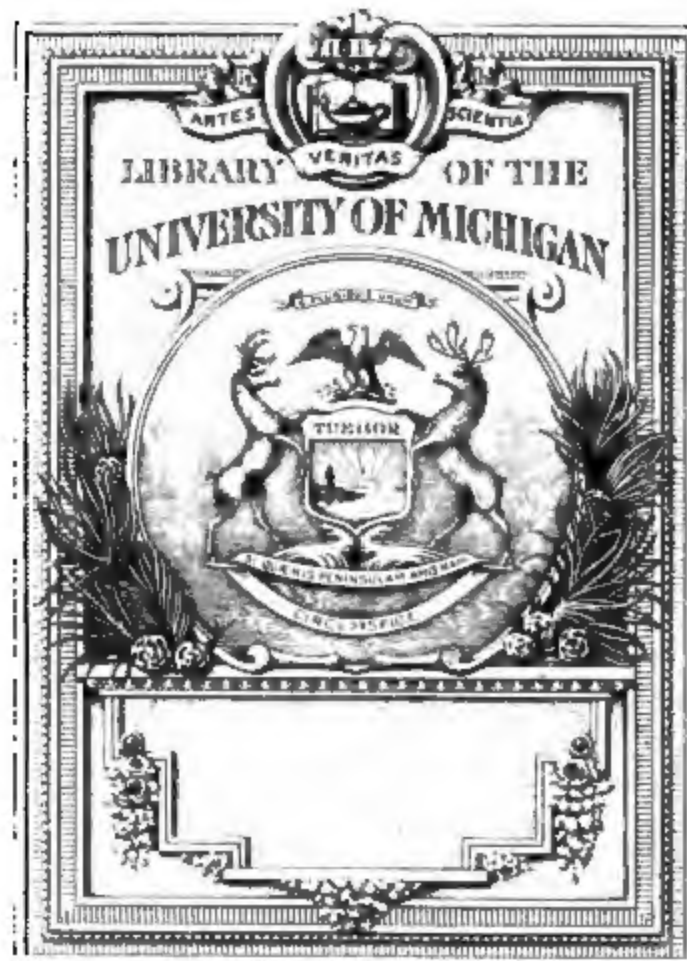
- + *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
- + *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
- + *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
- + *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at <http://books.google.com/>

A

891,466



196027

THE

ANNUAL REGISTER,

OR A VIEW OF THE

HISTORY,

POLITICS,

AND

LITERATURE,

OF THE YEAR

1834.



LONDON:

PRINTED FOR BALDWIN AND CRADOCK;

J. G. & F. RIVINGTON;

LONGMAN, REES, ORME, AND CO.; JEFFERY AND SON; J. M. RICHARDSON;
J. BOOTH; J. BOOKER; J. RODWELL; SHERWOOD, GILBERT, AND PIPER;
HAMILTON, ADAMS, AND CO.; G. LAWFORD; J. DOWDING; WHITTAKER,
AND CO.; SIMPKIN, MARSHALL, AND CO.; T. LAYCOCK; AND H. RENSHAW.

1835.

2171700

THE NEW YORK PUBLIC LIBRARY

ASTOR LENOX TILDEN FOUNDATION

1009 5th Ave. New York, N.Y.
1900

RECEIVED

THE NEW YORK PUBLIC LIBRARY
ASTOR LENOX TILDEN FOUNDATION
1009 5th Ave. New York, N.Y.
1900

1900

THE NEW YORK PUBLIC LIBRARY
ASTOR LENOX TILDEN FOUNDATION
1009 5th Ave. New York, N.Y.
1900

T. C. HANSARD, PRINTER, FATHER-NOSTER ROW.

3.6

CONTENTS.

HISTORY OF EUROPE.

CHAPTER I.

SPEECH from the Throne—Speeches of the Duke of Wellington and Earl Grey on the Address—Discussion on the Address in the House of Commons—Amendment moved by Mr. Hume and Mr. O'Connell—Discussion as to an imputation on some Irish Member, uttered in a Speech made at Hull—Charge against Mr. Sheil—Lord Althorp and Mr. Sheil committed to the custody of the Sergeant-at-Arms—Their discharge—Committee appointed to investigate the matter—Result of the Investigation—Charges made by Mr. O'Connell against Baron Smith—Select Committee appointed to inquire into them—The vote for the Appointment of the Committee rescinded—Debate on Mr. O'Connell's Motion for a Committee to investigate the propriety of Repealing the Union—Address to the King, declaratory of the determination of the House to maintain the Union—Address concurred in by the Peers—The King's Answer. [1

CHAPTER II.

State of the Cabinet on Irish Ecclesiastical questions—Mr. Ward's Motion for a Reduction of the Irish Church Establishment—Schism in the Ministry on the subject of the appropriation of Church Revenues—Resignation of Mr. Stanley, Sir James Graham, the Duke of Richmond, and Earl of Ripon—The King's Declaration in favour of the Church—Commission issued to inquire into the Irish Church—Debate on Mr. Ward's Motion—Discussion in the House of Lords regarding the Issuing of the Commission—Resolutions by Government concerning Tithes in Ireland, proposed—Opposition of the Agitators—Bill founded on the Resolutions brought in—Debate on the Second Reading—Alterations made in the Bill to conciliate the Irish Opposition—Debate on Motion, by Mr. O'Connell, to appropriate Church Revenues to purposes of Public Utility—Farther Alterations introduced into the Bill—Debate on the New Resolution proposed by Government. [36

CHAPTER III.

Bill for renewing the Irish Coercion Act introduced into the House of Lords—Private correspondence of Members of the Government with the Lord-Lieutenant of Ireland—Bill read a second time—Attacks of Mr. O'Connell against Ministers on account of the Bill—Secret communications made to him by Mr. Littleton regarding the opinions and intentions of the Government in relation to certain Provisions of the Bill restraining Public Meetings—The Cabinet determine that these clauses shall be retained—Disclosures made in the House of Commons by Mr. Littleton and Mr. O'Connell—Mr. Littleton tenders his Resignation, which is refused—Debate on Motion to refer the Papers on the State of

Ireland to a Select Committee—Mr. O'Connell gives notice of a Motion for production of the correspondence with the Lord-Lieutenant—The Chancellor of the Exchequer resigns—In consequence of his Resignation, Earl Grey resigns—Explanations by these Ministers as to the Causes of their Retirement—Viscount Melbourne made Prime Minister—Lord Althorp withdraws his resignation and continues in office as Chancellor of the Exchequer—Coercion Bill withdrawn in the House of Lords, and discussion thereon—Debate in the Lords on Motion for production of the Lord-Lieutenant's letter. [100]

CHAPTER IV.

Modified Coercion Bill introduced into the House of Commons—Debate thereon—Resolution proposed regarding the Poor in Ireland—Bill read a second time—Amendments moved by Mr. O'Connell—Bill passes—Proceedings and Discussions on the Bill in the House of Lords—Tithe Bill resumed—Debate on Mr. O'Connell's Motion to postpone the Committee for six months—Mr. O'Connell's Amendment to relieve the tithe-payers immediately from forty per cent carried against Ministers—The Bill passes—Debate on the Second Reading in the House of Lords, who throw out the Bill—Irish Church Temporalities' Bill. [133]

CHAPTER V.

State of Ecclesiastical Questions, and the Claims of the Dissenters in England—Petitions for Separation of Church and State—Motion in the Commons to exclude the Bishops from Parliament—Petition of some Members of the University of Cambridge to Admit Dissenters to take Degrees—Motion for an Address to the King to Recall the Regulations Preventing Dissenters from taking Degrees—Motion withdrawn, and Leave given to bring in a Bill to effect the same Object—Counter Petitions from Cambridge and Oxford—Debate on the Second Reading of the Bill for the Admission of Dissenters—Speeches of Mr. Estcourt, Mr. Wynn, Mr. Spring Rice, Mr. Goulburn, Mr. Stanley, and Sir R. Peel—The Bill is Passed—Debate on the Second Reading in the Lords—Speeches of the Earls of Radnor—The Dukes of Gloucester and Wellington—Lord Melbourne—The Lord Chancellor—The Bishop of Exeter—The Lords reject the Bill—Motion in the Commons for the Abolition of Church Rates—The Motion withdrawn in respect of Government being about to introduce a Measure to Relieve the Dissenters from Church Rates—The Ministerial Plan is laid before the House—The Dissenters violently oppose it, and it is withdrawn—Bill to authorize the Celebration of Marriage by Dissenting Clergymen in Dissenting Meeting-houses—Is opposed by the Dissenters, and withdrawn—Petitions for Commutation of Tithe—Resolutions and Plan of Ministers for Commuting Tithes—The Measure is not proceeded with—Proceedings in the General Assembly of the Church of Scotland regarding Patronage. [163]

CHAPTER VI.

Bill brought in by the Government to amend the Poor Laws—Statement of the alterations proposed—Debate on the Second Reading—Discussions in Committee—Motion to refuse owners' cumulative votes—Debates regarding out-door relief—Motion to reject the clauses making not the father of an illegitimate child, but the mother liable to support

it, lost, but the clauses are modified—Provision making the parents of the mother liable, withdrawn—Debate on the Second Reading in the House of Lords—Speech of the Lord Chancellor—Of Lord Wynford, who moves that it be Read a Second Time that day six months—Amendment opposed by the Dukes of Wellington and Richmond, and the Earl of Winchilsea—Bill Read a Second Time—Discussions and Alterations in Committee—Debates in Committee on the Bastardy Clauses—Changes made in those Clauses—Other Amendments made by the Lords—The Commons refuse to agree to the Lords' Amendment expunging the provision entitling Dissenting Clergymen to enter workhouses for purposes of religious instruction to inmates of their own persuasion—The Lords do not insist upon it—Debates on Motions regarding Agricultural Distress—Debate on Mr. Hume's Motion to Abolish the existing Corn-Laws—Subsequent Discussions on the same subject—Motion for the Repeal of the Reciprocity Duties—Discussion on the Tea Duties. [222

CHAPTER VII.

Financial Statement by the Chancellor of the Exchequer—The Navy Estimates — The Army Estimates — The Ordnance Estimates — The Irish Estimates—The Budget—The Reduction of the Four per Cents of 1826—Motion as to Pensions—Motion for the Repeal of the Malt-tax. [284

CHAPTER VIII.

Bill for the Removal of the Civil Disabilities of the Jews—passed by the Commons—rejected by the Lords—Rejection of a proposition for Repealing or Modifying the Laws by which Members of the House of Commons, accepting certain offices, vacate their Seats—Motion for Shortening the Duration of Parliaments—Motion for Amending the Clauses of the Reform Bill, which require the Payment of Rent and Taxes as a previous qualification for the exercise of the Elective Franchise—Bill to prevent Bribery in Elections—The Amendments of the Lords rejected by the Commons—Bills to Disfranchise Warwick, Hertford, Stafford, Liverpool, and Carrickfergus ; none of them pass the Lords—Lord Warwick's Statement—Issuing of writs to Hertford, Carrickfergus, and Warwick, suspended—Money supplied by the Secretary of the Treasury, for the purposes of the Colchester Election—Lord Brougham's Case of Breach of Privilege—Breach of Privilege occasioned by the Musical Festival. [297

CHAPTER IX.

Discussion in House of Lords regarding the Imprisonment of a British Subject by the Government of Portugal—Relations of Great Britain with Spain and Portugal—Motion for a Select Committee to inquire into the state of the Canadas—Petition of the Inhabitants of Quebec, and letter of Mr. Hume—Disputes with France regarding the Newfoundland Fisheries—Steam Navigation to India. [320

CHAPTER X.

Prorogation of Parliament—Speech from the Throne—State of the Ministry—Irish Agitators—Affray at Rathcormac—Conduct of the

Catholic Priests—Conduct of Lord Brougham—Dissolution of Lord Melbourne's Ministry—The King applies to the Duke of Wellington—Sir Robert Peel appointed Prime Minister—Formation of his Ministry—Dissolution of Parliament—The Act Abolishing Slavery carried into effect—Operations against the Rajah of Coorg in the East Indies. [330

CHAPTER XI.

FRANCE.—Opening of the Chambers—King's Speech—Debates on the Address—Bill against Public Hawkers of Journals—Bill for the Suppression of Political Societies—Disturbances at Lyons—Riot in Paris—Finances—Proposals to Lower the Amount of Import Duties—Modifications of the Peerage—Bill for Satisfying the Claims of the United States against France Rejected by the Chamber of Deputies—Changes in the Ministry—Session closed, and the Chamber dissolved—General Election—Formal Meeting of the New Chamber—Royal Speech and Address—Marshal Soult resigns, and is succeeded by Marshal Gerard—Investigation by the Peers into the Disturbances at Lyons and Paris—Marshal Gerard and all the Ministers Resign—The Duke of Bassano forms a new Ministry—The Duke of Bassano and all the Ministers resign—The Duke of Treviso made Prime Minister, and the old Ministers return—Prosecutions against the Press. [338

CHAPTER XII.

SPAIN—State and Measures of the Government—Remonstrances to the Regent against the Ministry—Change of Ministry—Disturbances in the Interior—Dissatisfaction excited by the Regulations of the new Ministry regarding the Urban Guards—Military Operations against the Insurgents in Navarre and Biscay—Decrees against Religious Bodies assisting the Carlists—Royal Statute appointing the Convocation of the General Cortes—Constitution of the Cortes—Ecclesiastical Commission for the Reform of the Church—Decrees regulating the Press—Spain acknowledges the Queen of Portugal—Treaty between the two Queens and France and Great Britain to expel Don Miguel and Don Carlos from the Peninsula—A Spanish Army enters Portugal—Don Carlos embarks for England, and arrives there—Leaves England, and joins his Army, in Navarre—Disturbances and Massacre of Priests in Madrid. [368

CHAPTER XIII.

SPAIN continued —Opening of the Cortes—Speech of the Queen Regent—Debates on the Address—Motion to insist on the Liberty of the Press lost—Bill of Rights presented to the Deputies—Debates upon it—Declaration for the Liberty of the Press without a Censorship carried—Declaration of Rights finally voted by the Deputies—Financial state of Spain—Bill presented by Government to Recognize and Provide for the Foreign Loans—Reports of the Finance Committee—Debates on the Recognition of the Loans contracted by Ferdinand—The Deputies refuse to Recognize the Guebhard Loan—Discontent of the Cortes Bondholders—The Peers Amend the Bill by Recognizing the Guebhard Loan and Providing for Payment of Interest on Arrears—The Committee of the Deputies Reports against these Amendments, but the Chamber adopts them—Bill of Exclusion against Don Carlos and his Descendants—Military Operations in Navarre and Biscay. [399

CHAPTER XIV.

PORTUGAL.—Progress of the Queen's Arms—Leyria surrenders—The Miguelites are driven from the Northern Provinces—Spanish Army enters Portugal—Don Miguel abandons Santarem—Capitulates at Evora—Leaves the Peninsula—Decrees of Don Pedro declaring Lisbon and Oporto Free Ports—Equalizing the Duties on Imports, abolishing the Oporto Wine Company, and all Monasteries and Religious Houses—Establishing a Metallic Currency—Meeting of the Cortes—Speech from the Throne—Don Pedro appointed Regent—His Resignation—His Death—Ministry of the Duke of Palmella—Marriage of the Queen—Exclusion of Don Miguel and his descendants from the Throne—Sale of the National Domains—Change in the Currency—The Budget of the year—Close of the Session of the Cortes—Ungrateful Treatment of the Foreign Auxiliaries. [431]

CHAPTER XV.

HOLLAND AND BELGIUM.—Political relations between Belgium and Holland—Disputes connected with Limburg and Luxemburg—Interference of the Commanders of the Fortress of Luxemburg to stop the Proceedings of the Belgian Functionaries—Opening of the States-General—Speech from the Throne—Budget—Votes of the States-General—France—Riots in Brussels—Acquittal of the Rioters—Commercial Subjugation of Belgium to France—Change of Ministers in Belgium—Votes of the Belgian Chambers—**SWITZERLAND.**—Invasion of Savoy by Polish Refugees—Conduct of the Swiss Cantons in reference to these Disturbances—Representations of the neighbouring States—Proceedings of the Democratical Faction in Switzerland—Meeting of the Swiss Diet—Parties in the Diet—Discussion as to the Polish Refugees—Application of Neuchatel to be severed from the Confederation—Discussions as to the Revision of the Federal part of Switzerland—Miscellaneous Proceedings of the Diet—The termination of its Session. [443]

CHAPTER XVI.

GERMANY.—Treaty between Austria, Russia, and Prussia—Congress at Vienna—Occupation of Frankfort by the Troops of the Diet—Disputes in Hesse Cassel between the Government and the States—Hesse Darmstadt—Baden—Bavaria—Lichtenberg ceded to Prussia—German Commercial Confederation—Meeting of the Diet—Scheme for the Establishment of a Tribunal of Arbitration—Poland—Russia—Greece—Disension in the Regency—Change in the Regency—Military Operations against the Mainotes—Insurrections in the Morea—Trial of Colocotroni and Coliopulos—Turkey—Egypt—Syria. [456]

CHAPTER XVII.

THE UNITED STATES.—The Bank Question—Disputes between the Senate and the President—Substitution of a Metallic Currency for Paper—Elections to the New Congress—Riots in New York—Mexico—Bravo's Insurrection—Dissolution of the Chambers—Civil War—Santa Anna prevails—New Congress—**VENEZUELA**—**NEW GRANADA**—**THE EQUATOR**—**PERU**—**BUENOS AYRES**—**BRAZIL.** [467]

CHRONICLE.

EVENTS 1

APPENDIX TO CHRONICLE.

King's Ministers:—

January, Earl Grey's	182
August, Visc. Melbourne's	183
December, Sir R. Peel's	184
Sheriffs	185
Births	186
Marriages	189
Promotions	196
Deaths	201
Finance	252
Trade and Navigation	266
Public General Acts	269
Local and Personal Acts	275
Prices of Stocks	281
Prices of Corn, Hay, and Butcher's Meat	282
Bills of Mortality—Bankrupts, and Meteorological Table	283
University Intelligence	284

LAW CASES AND NARRATIVES.

Prosecution for Perjury—The King v. Thomas Russell Davis	288
Chester—Trial of Mosley and Garside for Murder	290
Derby—Trial of George Maltby, and sixteen others, for suffocating three Men in a Mine at Ashford	296
Privy Council—The Thetis, Treasure—Salvage	301
York — “Morrison's Pills,”—Charge of Manslaughter	305
Meath Assizes—Trial of Michael Devine, James Slevin, and Patrick M'Kenna, for the murder of Thomas Cudden and James Bunn	309
Doe Dem. Wollaston v. Barnes, Forgery of a Will	311

PUBLIC DOCUMENTS.

I. DOMESTIC.—Dispatches from the Lord Lieutenant of Ireland, relative to the state of Ireland, and the renewal of the Coercion Bill	325
First Report of the Lords' Committees appointed to inquire	

into the Charges on the County Rates in England and Wales	329
Resolutions of the House of Commons on Navigation to India	332
Report from the Select Committee on Divisions of the House	334
An Account of the principal Improvements in the management of the Post-Office, during the last three years	336
Address of Sir R. Peel to his Constituents at Tamworth, on his acceptance of the Office of First Lord of the Treasury	339

II. FOREIGN.—Treaty between the Queen Regent of Spain, the King of the French, and the Regent of Portugal (Dom Pedro)	344
Speech of His Majesty the King of Sweden, on the Opening of the Diet, Jan 31, 1834	344
Public Debt of France, on the 1st Jan. 1834	349
Account of the coinage of Gold and Silver since the adoption of the Decimal System, (France)	350
Statement respecting American Banks, whose shares are current in the London Market	350
Statement of the United States' Debt, and of the separate Debt of each State	351
The Message of the President of the United States to the Congress	352

HISTORY, BIOGRAPHY, AND CHARACTERS.

Memoir of Samuel Taylor Coleridge, Esq.	377
Characters of Lord Rosslyn, &c.	388
PATENTS	391
POETRY	397
INDEX	401

THE
ANNUAL REGISTER,
FOR THE YEAR
1834.

HISTORY OF EUROPE.

CHAP. I.

Speech from the Throne—Speeches of the Duke of Wellington and Earl Grey on the Address—Discussion on the Address in the House of Commons—Amendment moved by Mr. Hume and Mr. O'Connell—Discussion as to an imputation on some Irish Member, uttered in a Speech made at Hull—Charge against Mr. Sheil—Lord Althorp and Mr. Sheil committed to the custody of the Sergeant-at-Arms—Their discharge—Committee appointed to investigate the matter—Result of the Investigation—Charges made by Mr. O'Connell against Baron Smith—Select Committee appointed to inquire into them—The vote for the Appointment of the Committee rescinded—Debate on Mr. O'Connell's Motion for a Committee to investigate the propriety of Repealing the Union—Address to the King, declaratory of the determination of the House to maintain the Union—Address concurred in by the Peers—The King's Answer.

ON the 4th of February his Majesty opened the Session of Parliament with the following Speech :—

“ My Lords and Gentlemen,
“ In calling you again together for the discharge of your high duties, I rely with entire confidence on your zeal and diligence,
VOL. LXXVI.

on your sincere devotion to the public interest, and on your firmness in supporting on its ancient foundations, and in the just distribution of its powers, the established constitution of the state.

“ These qualities eminently distinguished your labours during the last session, in which more numer-

[B]

ous and more important questions were brought under the consideration of Parliament than during any former period of similar duration.

“Of the measures which have in consequence received the sanction of the Legislature, one of the most difficult and important was the Bill for the Abolition of Slavery. The manner in which that beneficent measure has been received throughout the British colonies, and the progress already made in carrying it into execution by the legislature of the island of Jamaica, afford just grounds for anticipating the happiest results.

“Many other important subjects will still call for your attentive consideration.

“The Reports which I will order to be laid before you, from the Commissions appointed to inquire into the state of the municipal corporations, into the administration and effect of the Poor Laws, and into ecclesiastical revenues and patronage in England and Wales, cannot fail to afford you much useful information, by which you will be enabled to judge of the nature and extent of any existing defects and abuses, and in what manner the necessary corrections may, in due season, be safely and beneficially applied.

“It has been the constant aim of my policy to secure to my people the uninterrupted enjoyment of the blessings of peace. In this I have been much assisted by the good understanding which has been so happily established between my government and that of France; and the assurances which I receive of the friendly disposition of the other powers of the continent give me confidence in the continued success of my endeavours.

“I have, however, to regret, that a final settlement between Holland and Belgium has not yet been effected, and that the civil war in Portugal still continues.

“You may be assured that I shall be careful and anxious to avail myself of any opportunities which may afford me the means of assisting the establishment of a state of security and peace in countries, the interests of which are so intimately connected with those of my dominions.

“Upon the death of the late king of Spain I did not hesitate to recognise the succession of his infant daughter; and I shall watch with the greatest solicitude the progress of events which may affect a government, the peaceable settlement of which is of the first importance to this country, as well as to the general tranquillity of Europe.

“The peace of Turkey, since the settlement that was made with Mehemet Ali, has not been interrupted; and will not, I trust, be threatened with any new danger.

“It will be my object to prevent any change in the relations of that empire with other Powers which might affect its future stability and independence.

“Gentlemen of the House of Commons,

“I have directed the estimates for the ensuing year to be laid before you. They have been framed with the view to the strictest economy and to such reductions as may not be injurious to the public service.

“I am confident that I may rely on your enlightened patriotism, and on the cheerful acquiescence of my people for supplying the means which may be required

to uphold the honour of my crown and the interest of my dominions.

“ The accounts which will be laid before you of the state of the revenue, as compared with the expenditure, will be found most satisfactory.

“ My Lords and Gentlemen,

“ I have to lament the continuance of distress amongst the proprietors and occupiers of land; though, in other respects, the state of the country, both as regards its internal tranquillity and its commerce and manufactures, affords the most encouraging prospects of progressive improvement.

“ The acts passed in the last session for carrying into effect various salutary and remedial measures in Ireland, are now in operation; and further improvements may be expected to result from the commissions which have been issued for other important objects of inquiry.

“ I recommend to you the early consideration of such a final adjustment of the tithes in that part of the United Kingdom, as may extinguish all just causes of complaint, without injury to the rights and property of any class of my subjects, or to any institutions in Church or State.

“ The public tranquillity has been generally preserved, and the state of all the provinces of Ireland presents, upon the whole, a much more favourable appearance than at any period during the last year.

“ But I have seen, with feelings of deep regret and just indignation, the continuance of attempts to excite the people of that country to demand a Repeal of the Legislative Union.

“ This bond of our national strength and safety, I have already declared my fixed and unalterable

resolution, under the blessing of Divine Providence, to maintain inviolate by all the means in my power.

“ In support of this determination I cannot doubt the zealous and effectual co-operation of my parliament and my people.

“ To the practices which have been used to produce disaffection to the state, and mutual distrust and animosity between the people of the two countries, is chiefly to be attributed the spirit of insubordination which, though for the present in a great degree controlled by the power of the law, has been but too perceptible in many instances.

“ To none more than to the deluded instruments of the agitation thus perniciously excited is the continuance of such a spirit productive of the most ruinous consequences; and the united and vigorous exertions of the loyal and well-affected in aid of the government are imperiously required to put an end to a system of excitement and violence which, while it continues, is destructive of the peace of society, and, if successful, must inevitably prove fatal to the power and safety of the United Kingdom.”

In the house of Lords the duke of Sutherland moved, and lord Howard of Effingham seconded, an address which was a mere echo of the meagre phraseology of the speech, and was voted without a division, though not without some animated discussion between the duke of Wellington on the one side, and earl Grey on the other.

The duke of Wellington said, that it was impossible for any man to judge from the speech whether it was the intention of the govern

ment to bring forward, as a government, any one measure on any one of the topics adverted to in that speech. In respect of the topic first adverted to in the speeches of the noble lords—he meant that which related to the measure regarding the West-India colonies—no man would rejoice more than he in the success of the measure for the abolition of slavery. But he feared, that the noble lords who had moved and seconded the address were premature in stating, that the measure had been successful. The law passed in this country had effected, with regard to the negro population of the colonies, a change from a state of slavery to a state in which slavery did not exist. What Jamaica had done was, to adopt that law, but not to pass any measure by which that law was carried into execution. Jamaica had made no law to provide for the new state of society there, but had thrown the responsibility of making it on his majesty's ministers. As to our foreign relations, he assured the house, that there was no man whose voice was more sincerely favourable to the continuance of peace than his; it was essential to the interests of this country to remain at peace, and to ensure peace to other nations, both externally and internally. On these points, however, the government had not furnished any information. Holland and Belgium stood in the same situation now as they did two years ago; and if ministers acted on the same plan which they had adopted for the last two years and a-half, those countries would, ten years hence, be as far off from a settlement of their disputes as at present. In Portugal, the war was notoriously carried

on by the subjects and with the capital of this country. Yet the king of Spain was told, “In this contest you must be neutral; and if you are not, we will interfere and support don Pedro.” Under the protection of our fleets in the Douro and the Tagus this boasted neutrality had been shamefully violated. The ministers ought, at a very early period, to have acknowledged the government then existing in Portugal. It was a government *de facto*, and as such ought to have been acknowledged. The monarch then reigning in Portugal performed his part of the treaties existing with this country, and we ought to have performed ours; but we did not. In Spain, Ferdinand thought proper to make an alteration in the succession to the crown, and don Carlos was expelled. Don Carlos was required to proceed to Italy. He refused, but he went to Portugal to seek assistance there. So that, in fact, the civil war in Spain grew out of the civil war in Portugal, which was fomented by us. He had formerly ventured to advise the government to issue a proclamation to recall his Majesty's subjects from the service of both parties as a means of preventing the evils which now existed; but his advice was disregarded. In the East, too, a most unfortunate line of policy had been adopted. He knew, that on a former occasion, when Mehemet Ali, Pacha of Egypt, was desired by this government not to carry into execution certain measures which he wished to effect, and when he was positively told that he must not proceed, he at once desisted. If this country wished to prevent him from carrying on war in any part of the Levant, we needed only to have a fleet there,

and our directions would be as readily obeyed by him now as formerly. If in 1832, or 1833, our ministers had plainly told Mehemet Ali that he was not to carry on hostile operations in Syria and Asia Minor, they would have put an end to the war without the presence of a Russian fleet and army at Constantinople. But instead of thus taking a commanding position, our fleets were in the Douro and the Tagus, protecting civil war, and in the channel, blockading the fleets of the Dutch. The consequence was, that our old allies, Holland, Portugal, Spain, and Turkey, were placed under the protection of other powers.

After some remarks on the legality of the proceedings of the commissioners of municipal corporations, and objecting to the plan proposed by them of founding municipal constituencies, almost solely on the 10*l*. franchise, his grace proceeded to state, that the sentiments expressed in the speeches which, during the recess, had been made by the friends and supporters of his majesty's government on the subject of tithes, at various meetings throughout the country, were such as were calculated to excite in the highest degree jealousy and suspicion; and he felt himself fully warranted in saying, that never had there been a question brought before their lordships, in which it was so necessary for them to be cautious in regard to the principles and proceedings of his majesty's government, as upon this question of church property. Two bills brought in by a most reverend prelate in a former session of Parliament—the one to regulate pluralities, and the other for the com-

position of tithes,—had received the support of his majesty's ministers in that house: both were highly desirable measures for the purpose of conciliating the public mind; and yet, notwithstanding the omnipotent sway which the present government possessed and exercised over the other house of Parliament, it was not, somehow or other, able to get these bills passed through the house of Commons. There was another subject with regard to which the intentions of his majesty's government had not been stated in the speech from the Throne—the Irish coercion bill. The greatest benefit had been derived by Ireland from that necessary and most salutary measure; and he therefore thought, that when his majesty's government came down to Parliament, and stated as they did in a paragraph of the speech from the Throne, that “the public tranquillity had been generally preserved, and that the state of all the provinces of Ireland presented upon the whole a much more favourable appearance than at any period during the last year,”—at the same time they should have informed Parliament, whether it was their intention to propose the renewal of that law, to which such desirable consequences were mainly attributable, and which, as their lordships were aware, would, if not renewed, expire at the end of the present session of Parliament. Their lordships knew only that ministers complained of the agitation which had been practised in Ireland on the subject of the Union. Now, he would repeat, that ministers should have told them whether it was their intention to propose the renewal of that measure, to which was owing

the restoration of something like peace and tranquillity in that part of the United Kingdom. He wished further to address to their lordships a few observations on the question of Irish tithes. With regard to any measure which it might be the intention of his majesty's government to bring forward on that subject, he begged in the first instance to say this—that, as far as he could learn, the clergy of the church of Ireland were at present precisely in the same miserable situation in which they had been for the last seventeen or eighteen months. If such was the case, notwithstanding the measures which had been brought forward and passed on a former occasion in reference to the clergy of Ireland, he must say, that if that race of men was to be preserved at all, their lordships should lose no time in passing whatever measures were required to complete proper arrangements with respect to the church of Ireland. He believed, as he had already stated, that the clergy of the church of Ireland were at present in the most miserable and destitute condition. If, as he learned upon the best authority, they were reduced to the lowest ebb of distress,—so much so that many of them had been obliged to let insurances, which they had formerly effected on their lives for the benefit of their families drop, and to abandon all the advantageous arrangements which, in several instances, they had in former years adopted with regard to their property, and that, in consequence of distress, many of them had been under the necessity of taking the boon which was held out to them under most unfavourable circumstances by the government bill

of last session ;—if, he repeated, such was the case, and he believed there was no doubt that it was so, their lordships, he was sure, would agree with him in thinking, that no time should be lost in bringing forward whatever measures were required to complete some arrangement with respect to the church of Ireland, and to rescue that most deserving race of men, the Irish Protestant clergy from such an unparalleled state of suffering and distress.

Earl Grey replied to the duke of Wellington's remarks upon his foreign policy, by stating, that don Miguel had not been recognised by his grace's administration ;—that the ruin of Turkey was the consequence of the passage of the Balkan and the treaty of Adrianople ; and that the still undecided question of the Netherlands and Portugal was a legacy bequeathed by the late administration to the present. But when he dated the downfall of Turkish independence, from the treaty of Adrianople, he did not go far enough back. He ought to have called to mind the liberal achievements, diplomatic and belligerent, of the Cabinet of 1827—achievements which he had admired and approved. He ought to have remembered the treaty of London, and the triumph of Navarino, which opened to Russian armies the defiles of Mount Hæmus and the gates of Adrianople. Great Britain could not take part in a war upon the Danube ; but the administration of that day did interfere, as far as it might ; it interfered by negotiation for the protection of the Porte ; and secured terms to the Sultan which might still have preserved his empire free from Russian control,

had it not been for the connivance, not to say encouragement, afforded by the French and British governments of the last two years, to the rebellion of the pacha of Egypt. So with respect to Belgium, the charge against the ministry was, that during three years and three months nothing had been done to effect a settlement, and that this country had been placed in relations to Holland utterly inconsistent with our national interests and the obligations imposed by treaties. The defence of lord Grey was, that the duke of Wellington's administration had had two months to dispose of the Belgian question, and did not bring it to a close in that time.

On the subject of the church and of Ireland, the statements of the premier though vague, were somewhat more intelligible. He declared that he was a sincere friend, a devoted and zealous supporter of the church, and he would not for a single moment appear to encourage the theorists who were for separating church and state. Such designs he considered wild, extravagant, and dangerous. As far as real grievances were concerned, he felt anxious, and the heads of the church were also anxious, that any relief, which could reasonably be required, should be afforded to dissenters; but if the dissenters pressed for the destruction of the church establishment, he at once took his stand against them. For the sake of the church itself, he thought that the state of the establishment should be looked into, and that anything, of which complaints were justly made, should be corrected. But, at the same time, he well knew the difficulty of the subject, and his de-

termination was, if he continued a member of the government when the period of reform arrived, to look at the matter with the utmost caution. The reform, which he contemplated, would be adopted with the view of supporting the establishment, and not for the purpose of injuring and destroying its foundations.

The noble duke had called on his majesty's government to declare whether they intended to continue the coercive (it might be more properly termed the protective) law which was passed in the last session of Parliament. That question, lord Grey said, was to a certain extent answered by the speech from the Throne. Government had expressed their decided intention to maintain inviolate the legislative union between England and Ireland as a firm bond of our national strength and safety; and his majesty had called upon Parliament and all his subjects to join in the adoption of measures for "putting an end to a system of excitement and violence which, while it continued, was destructive of the peace of society, and if successful must inevitably prove fatal to the honour and safety of the United Kingdom." The protective measure passed last year would not expire till the 1st of August; so that there was plenty of time to apply for its renewal, if necessary. He had stated last year, on introducing this measure, that it was with pain and regret he proposed it to Parliament, and that it would be the happiest day of his life when he could say, that such a law was no longer required by the circumstances of the country. Circumstances admitting of the repeal of that measure, he was sorry to say, did not now exist; what might

be the state of Ireland a few months hence, he could not foresee, and he must decline answering as to the future conduct of government. This however he would say, that the king's government was determined to do its duty as hitherto, with the aid of Parliament, and supported by the country. When we considered, that at this very moment, notwithstanding the excitement referred to, and all the agitation and insecurity consequent upon it, the country was in a state of prosperity greater than any other country in the world—that trade and manufacture were improving—the prospect was of an encouraging nature. That the blessings of Providence should be marred and counteracted by a malignant spirit of disturbance, and that instead of prosperity, peace, and order, which were within our reach, the country should be subjected to the evils of excitement and violence, was not to be borne.

In the Commons the address was moved by Mr. S. Lefevre and seconded by Mr. Morrison, who gave a flattering picture of the prosperity of our manufactures. Colonel Evans complained, that the house and window taxes had not been repealed—applauded the neutrality of our Portuguese policy—expressed his hope that the commercial relations which Prussia was establishing with many of the German States, would not be allowed to have any injurious influence on our interests, and his dissatisfaction with the conduct of Russia in relation to Turkish affairs—and regretted that he had ever taken any part in supporting the government, more especially as in that house — that reformed

house of Commons — there were still upwards of 100 placemen, pensioners, and sinecurists.

Mr. Hume said, there was in the speech a good deal about the independence of Turkey, and something about Portugal, and something about regret; but of poor tax-ridden England not one word. This preface he followed up by a string of desultory remarks, in his usual style, on his usual topics; and concluded by moving as an amendment—"That the house would take into its immediate and serious consideration the state of the established church as regarded its temporalities and the maintenance of the clergy; and also with a view to the removal of those complaints which arose out of the mode in which tithes and church-rates were levied, in order to accomplishing such changes in them as might give effectual relief, not only to the members of the established church themselves, but to those conscientious dissenters who suffered under the present state of the law, thus carrying into effect the recommendation which proceeded from the throne at the commencement of the last session." The amendment was negatived by 191 votes to 39.

Mr. Hume then moved, that instead of the second paragraph in the address expressive of the satisfaction of the House at "uninterrupted enjoyment of the blessings of peace," the following words should be introduced:—"That this house pledges itself to cause such reductions to be made in all the civil, military, and naval establishments, as shall bring home to all his majesty's subjects an immediate and large reduction of taxation, the practical advantages and blessings of a continued peace,

which this house rejoices to learn is not likely to be disturbed." The motion was negatived without a division.

Mr. O'Connell next moved, that the clause beginning with "We fully participate with his majesty in feelings of deep regret and just indignation in seeing the continuance of attempts to excite the people of Ireland to demand a repeal of the union," should be omitted. After a discussion, in which Sir Robert Peel remarked, that experienced as he was in speech-making, he could not but admire the great skill with which the framers of the king's speech had on the present occasion avoided saying anything at all, the amendment was negatived by 189 votes to 23.

On the following day (5th Feb.) there arose, on the bringing up of the report on the address, an incidental discussion on the coercion bill of last session; and, in the course of that discussion, Mr. O'Connell introduced a topic, which, though of no public interest, excited a much greater degree of attention than it merited. In the preceding November there had appeared in several of the newspapers a report of a speech addressed by Mr. Hill, one of the members for Hull, to his constituents, in which that gentleman was represented, in justifying his support of the coercion bill, to have expressed himself in the following manner:—"It is impossible for those not actually in the house to know all the secret machinery by which votes are obtained. I happen to know this (and I could appeal, if necessary, to a person well known, and much respected by yourselves), that an Irish member, who spoke with great

violence against every part of that bill, and voted against every clause of it, went to ministers and said, 'Don't bate one single atom of that bill, or it will be impossible for any man to live in Ireland.' 'What,' said they, 'this from you, who speak and vote against the bill?' 'Yes,' he replied, 'that is necessary, because if I do not come into parliament for Ireland, I must be out altogether, and that I do not choose.' (Cries of 'name,' and 'no.') Consider for a moment, can I do it? ('No; Yes.') That is a point for my consideration. I have a great respect for every one here; but if every one in the room was to hold up his hand for it, I would not do it. The secret is not my own. If he had told it to me, I would have said, 'mark, I will keep no such secret as this; I will publish it to the world. But if I name the member, I put it in the power of the individual who made that declaration to know the gentleman who told me.'" This statement, as soon as it appeared in print, excited the indignation of the Irish members; and many of them purged themselves from the charge by solemn and vehement denial. Mr. Hill, being called upon to name his informant, refused; but to each one who wrote to him to know whether he was the individual alluded to, an answer in the negative was given. Mr. O'Connell, after reading Hill's statement, now put two questions to the chancellor of the exchequer, first, whether he or any other member of the cabinet had ever stated that an Irish member had acted in the manner described, and secondly, whether any Irish member ever went to the noble lord, or any other minister, and made the

statement which had been imputed to him? Lord Althorp said, that, to the first of these questions, he could answer positively for himself, and to the best of his belief, for his colleagues, that no such assertion, as had been referred to, had ever been made by him or them. With respect to the second question,—namely, whether any Irish member who voted and spoke against the coercive bill ever made any statement to the administration similar to that which had been referred to—he was prepared to say that, as far as he was aware, no Irish member who voted and spoke against the coercive bill had made any such statement to a cabinet minister. (The noble lord placed a strong emphasis on the word “cabinet,” which was remarked by the house, and elicited loud cries of “hear.”) Lord Althorp added, that he should not act a manly part if he did not declare that he had good reason to believe that some Irish members (certainly more than one), who voted and spoke with considerable violence against the bill, did in private conversation use very different language.

Mr. O’Connell, starting up, exclaimed, “The noble lord is shrinking — state the names of those members?”

Lord Althorp.—Does the hon. member accuse me of shrinking?

Mr. Sheil.—Tell us the name of our accuser.

Mr. O’Connell.—I retract the word “shrinking,” for I feel that I ought not to use a harsh expression towards the noble lord. I ask the noble lord who are the Irish members who have acted as he has described?

Lord Althorp. — I have been asked by an hon. member to give

up my authority. I am answerable for what I say, and I believe I have no right to shift the responsibility upon others. With respect to naming the Irish members to whom I have alluded, I am perfectly ready to do so, if they choose to call upon me; but unless they do so, I think I should not be justified in doing it.

Mr. O’Connell.—I am authorized by every Irish member now present in the house (“No!”)—then I will take another course:—I ask the noble lord whether I am one of the members to whom he alludes.

Lord Althorp.—No.

Mr. Finn.—Am I one?

Lord Althorp.—No.

Several other Irish members rose from their seats with the view of putting the same question to lord Althorp; when the Speaker rose and expressed his regret, that the noble lord had felt it his duty to answer the questions which had been proposed to him. Even subjects infinitely less calculated to excite the feelings of the public and of individuals could not be dealt with by them, unless they assumed a public character, and came before them as questions of privilege, being defamatory of a member or members. Could that which a member had said out of the house or in private, form the basis of public discussion?

Mr. O’Connell insisted, that it deeply concerned the constituency of Ireland to know whether any of their representatives had behaved in the manner alleged; and that an opportunity of explanation ought not to be denied to those who sought it. Mr. Henry Grattan declared, that if the investigation were not prosecuted, he would bring the matter forward as a case

of breach of privilege, and would move, that the editor of the paper in which the statement first appeared, should be called to the bar.

Mr. Sheil observed, that the original form of the charge was, that an Irish member, who had spoken violently and voted against the bill, had gone to ministers and recommended that it should be persevered in without alteration. This charge had now been distinctly negatived. The noble Lord, as he understood him, had said that no communication in favour of the coercion bill had been made or transmitted to any cabinet minister by any Irish member who had voted and spoken strongly against the bill.

Lord Althorp had not meant to authorize any such inference; what he had said was, that no statement had been made, or message transmitted, in favour of the bill to any member of the cabinet by any Irish member who had voted and spoken against it.

Mr. Sheil.—Or communicated in any way whatever. (Cries of “No.”) He did beg that the noble lord would give a decisive answer. The noble lord had said, that more than one Irish member, who had voted and spoken warmly against the bill, had held language out of doors on that subject very different from their expressed opinions in the house; and he had declared that he believed that statement: but he refused to give the name of the individual who made it, adding, that he took on himself all the responsibility. I would ask him whether I am one of the members to whom he alludes?

Lord Althorp.—The hon. gentleman is one.

Mr. Sheil, who had resumed his seat on putting the question to the noble lord, remained in it some

moments without attempting to rise. At length he rose and said—“Having heard the statement which the noble lord has just made to the house, I beg on the other hand to declare in the face of my country, and if I may do so without irreverence, in the presence of God, that if any individual has said to the noble lord, or to others, that I gave any approbation of the coercion bill in private, he has belied me by a gross and scandalous calumny; but as the noble lord has put the statement on his own responsibility, I shall say no more.” After some remarks from Mr. O’Connell, Mr. Hill stated, that his attention had not been drawn to the words attributed to him until some time after the delivery of the speech; and he found that three reports had been published, which, as far as his recollection served, were, in some of the expressions, not quite accurate. The purport of what he had said was, that a member of parliament, who voted and spoke against the coercion bill, had, in private, communicated to ministers that the bill was necessary, and ought to pass. He now hoped that, as the subject had been introduced, it would be inquired into, and that no forms of the house would be allowed to prevent investigation. If, therefore, any hon. member would move for the appointment of a committee of inquiry, he should feel happy in seconding the motion, and he pledged himself to prove before the committee every word which he had said.

A desultory discussion ensued, after which the Speaker required Mr. Sheil to assure the house that “the matter now before it should not be prosecuted out of its walls, but should be left to abide such inquiry as the house

might think fit." Mr. Sheil made no answer. Lord Althorp, being required to give a similar assurance, was willing to pledge himself not to adopt ulterior measures out of the house; but could not say that he would not respond to a call.

Sir F. Burdett then moved, that both parties be taken into custody; and sir R. Peel having seconded the motion, the Speaker put the question that Richard Lalor Sheil and lord viscount Althorp be taken into the custody of the sergeant-at-arms until the farther order of the house, which was carried *ne-mine contradicente*. Lord Althorp left the house, followed in a few minutes by Mr. Sheil, when both were taken into custody by the sergeant-at-arms. In the course of the evening, however, they submitted to the pleasure of the house; and, having respectively given the required assurance, were discharged.

On the 10th of February, Mr. O'Connell put in a copy of a newspaper, containing the report of Mr. Hill's speech; and, the paragraph having been read, moved that it should be referred to a committee of privileges. Sir Francis Burdett moved, as an amendment, that the house do proceed to the order of the day. On a division, the proposition of Mr. O'Connell was carried by 192 against 54.

The committee met. One of lord Althorp's informants, it appeared, was Mr. John Wood, formerly member for Preston, but who had recently undergone the usual metamorphosis of a patriot, by being transformed into a commissioner of taxes. His evidence did not support the charge; and though Lord Althorp stated, that he had other informants, he refused to
' e their names. There being

thus no evidence to establish the accusation, the committee, on the 14th of February, made their report in favour of Mr. Sheil, stating that two witnesses were called before them at the suggestion of Mr. Hill, and others were about to be examined, when Mr. Hill himself, finding the testimony already heard very different from what he had expected, freely and spontaneously made the following communication to the committee.

"That he had come to the conviction that his charge against Mr. Sheil of having directly or indirectly communicated, or intended to communicate, to the government any private opinions in opposition to those which he expressed in the house of Commons, had no foundation in fact;—that such charge was not merely incapable of formal proof, but was, in his present sincere belief, totally and absolutely unfounded;—that he had originally been induced to make mention of it in a hasty and unpremeditated speech, under a firm persuasion that he had received it on undeniable evidence; but that, being now satisfied of the mistake into which he had fallen, and convinced that the charge was wholly untrue, he came forward to express his deep and unfeigned sorrow for having ever contributed to give it circulation."

When the report was laid on the table, lord Althorp was loudly called for. "I have," said his lordship, "since I last addressed the house, made inquiries respecting the information given to me on this subject, and I am now prepared to say, if the hon. and learned member for Tipperary (Mr. Sheil) asserts distinctly that he has not done what I stated him to have done, that I believe his assertion. At present

I am in this situation—I have had certain information given to me on the authority of gentlemen on whose veracity I entirely rely. They may have been mistaken in what they stated to me. But if the hon. and learned member for Tipperary will now come forward and say that it is untrue that he ever used language in private different from that which he used in public on the coercion bill, I will not only say that I entirely believe him, but I will also apologize to him for the language which I used.” Mr. Sheil solemnly denied the charge: and so ended this ridiculous interlude, which many men believed was obtruded upon the house, as much from a hope of embarrassing a rival in the work of agitation, as from a desire to vindicate the character of a friend. If there is any subject on which a report of a committee of the house of Commons is utterly disregarded by the public, it is on a matter of private integrity and personal honour.

The Irish members, who constituted what was called “O’Connell’s tail,” next exerted their tongues in attacking a judge. Mr. Baron Smith was one of the most distinguished characters on the Irish bench. He had been an honest supporter of catholic emancipation though he ever kept himself unpolluted by the contact of agitation. In former days he was the object of unbounded praise among the orators of Catholic associations; and the most enthusiastic eulogies on his moral and intellectual character were those which had proceeded from the lips of Mr. O’Connell. But past merits were now to be forgotten; for Mr. Baron Smith, who would not allow the inciters of crime to escape when he was punishing the

misled, had warned his fellow-subjects from the bench against the delusive and inflammatory proceedings of factious men, which plunged almost necessarily into guilt the unfortunate beings against whom he was compelled to enforce by transportation, or by the gibbet, the criminal justice of the country. Mr. O’Connell, therefore, resolved to attack him with a parliamentary inquiry, in order that for the future all judges might feel the necessity of passing over in silence, if they did not mention with applause, what they believed to be the fertile sources of the crimes which they might be about to try.

On the 13th of February, Mr. O’Connell moved, “that a select committee be appointed to inquire into the conduct of Mr. Baron Smith, in respect to the discharge of his duties as a judge, and to the introduction of politics into his charge to a grand jury.” The accusations were two, 1. that the learned judge came late into court, and, on the assizes, tried prisoners at unseasonable hours;—2. that he had introduced politics, and politics very displeasing, into his charge to a grand jury of Dublin. Under the first charge, Mr. O’Connell stated, that Mr. Baron Smith scarcely ever appeared in court till half-past twelve, or between that hour and twelve o’clock. In the court of Exchequer, he commonly came in to write a letter, and then departed, without taking any part in the proceedings. On the circuit, in the counties of Down and Armagh, he did not sit in the criminal court till between eleven and twelve: at Armagh he had tried fourteen prisoners between six in the afternoon, and six in the following morning, the trial of more than one of them having com-

menced after midnight. This was unjust. The jury were asleep; the prisoner, worn out, was unable to defend himself;—his witnesses were often not to be found; the witnesses against him had been dining, and were not in a very fit condition to give correct evidence. At *nisi prius* he had seen the baron come into court at half past one; a practice which, by the delay it occasioned, put clients to great expense. He had once gone the circuit with the baron and Mr. Justice Fletcher. The latter tried civil cases from eight till four, when Mr. Baron Smith would commence the criminal business, and seldom rose before three in the morning.

Under the second head, Mr. O'Connell stated that, in October, 1833, Mr. Baron Smith had presided at a special commission in Dublin. The calender contained seventeen cases, viz. eight of larceny, four of cow-stealing, three of pig-stealing, one of bigamy, and one of swindling. Here there was no room for political allusion, yet the charge to the grand jury was a political discourse, having no relation to any one case which the judge was to try, censuring the misconduct of ministers, replying to speeches delivered in parliament, and reviving and inflaming religious feuds. After telling the grand jury that, "whenever he thought the lawless state of the country not fully understood, he sounded the tocsin"—which no judge had a right to do, or to make himself a political sentinel "he went on to say, "subsequent events deplorably proved "that I had given no false alarm. The audacity of ious leaders increased from the

seeming impunity which was allowed them," he being a judge who might be called in to try these factious persons. He represented the constitution as being tottering on its base. He referred to speeches delivered in that house, and charged the member for Drogheda (Mr. O'Dwyer) with having said of him, that he would sacrifice truth to an antithesis. He then defended Mr. Baron Pennefather, accusing all who differed from him of being in the wrong; charged members of that house with having made speeches derogatory to the bench; censured a cabinet minister for having spoken, without terms of condemnation, of petitions which he described as being "not of submissive prayer, but of refractory invective and insolent dictation; and talked of the disposition prevalent among a great body of the people to resist rents, tithes, rates, and even taxes. This was all bad enough; but the attempt to inflame religious feuds was still worse. Speaking of the emancipation act, the baron said that by that act Roman Catholics had got all they ought to desire, all they were entitled to, and he appeared to insinuate that they were looking for much more. He asked in his charge why were such efforts being made by the Catholic clergy? Why was such abuse heaped upon the Protestant clergy? Why was there such joy at the wane of the establishment? Why was such delight exhibited at the diminution of the number of the Protestant bishops? These were questions asked by the learned baron, and he would put it to the house — were they, or were they not, calculated to revive religious animosity? The manner, too, in which his opinions were put for-

ward, made them still more objectionable. They were clothed in language—for baron Smith was certainly an accomplished scholar—which rendered them more likely to fasten themselves upon the mind, and they were addressed to persons who received them but too greedily, and upon whom they were but too likely to produce a most injurious influence by perpetuating, if not creating, religious animosity amongst the people. The Protestants were told, that their clergy were abused, that their establishment was on the wane, and that the Roman Catholics were rejoicing over its downfall. Could such language be addressed to the Protestants without producing an injurious effect?

Mr. O'Dwyer seconded the motion: and unfortunately, the ministers, beginning the session with that unhappy system of condescension to the Irish party, of which they exhibited more examples before it finished, lent all their weight to the proposal for inquiry.—Mr. Littleton thought it due to the responsibility of his situation not to oppose the motion. He disapproved of any remarks of a political tendency dropping from the bench; but at the same time it could not be denied that there existed in Ireland a species of crime which naturally called for such observations; and the frequency of such crimes created, of course, the frequency of such charges.

Mr. Shaw maintained, that sir William Smith had not departed in his conduct from the practice which generally prevailed. Any censure upon him would amount to a defence of the agitation which had been the subject of his reprehension. Nothing unbecoming, or violent, had been introduced in the charge.

If the judges of the land perceived that there existed violent agitation, and systematic attempts at evading the law, they could not allow the ignorant and miserable dupes of such political knavery to be punished, while those, who were really and directly the guilty parties, escaped. Had there been any charge of corruption or misconduct brought against the learned judge, he would have been the last person to have stood up in his defence.

Mr. Stanley conceived it formed no part of the duty of a judge to introduce into his charges, as baron Smith had done, various political allusions; and the simple question was, whether or not there were substantial reasons for granting the inquiry which was demanded. By entertaining this motion, the house by no means condemned Mr. Baron Smith, whom he admitted to be a highly respectable and honourable man, and against whom he regretted there should have arisen even the slightest ground for accusation. It appeared, however, that, on one occasion, fourteen persons had been tried between six o'clock at night and the same hour of the following morning. Surely there could have been no good excuse for such a course of proceeding. He thought that an inquiry should be instituted, because it was proper to show that in an English house of Commons the rights of the Irish people met with impartial attention: and, although the result should be an immediate and ignominious removal of the learned judge, he felt himself bound to support the motion.

Sir Robert Peel believed, that, from what he knew of the learned judge, he might with safety venture to say, that he had been in every instance the friend and advocate of

conciliation, and he had never met with any man more anxious to examine closely into every cause, and to sift every kind of evidence, in order to afford a prisoner all the assistance in his power. He could mention many instances in which that individual had made sacrifices of time and personal trouble in the public service. There was no allegation of corruption against him; he was charged merely with having made himself a political partizan; and if it be once admitted, that this constitutes a case for inquiry on the part of the house of Commons, laws might be put upon the statute-books, declaring the independence of the judges, but that independence would be only a miserable phantom. The house had no power to interfere with the office of a judge except by an address to the Crown, and no man was prepared to say, that the case before them warranted such an extreme proceeding. It might be, that there was a trifling irregularity in the conduct of the learned judge; but if an inquiry was to be instituted, it ought, at all events, to be conducted with a solemnity becoming the station of the distinguished individual. Let him be called to their bar—let the house of Commons itself be the committee of inquiry. While all possible justice was done to Ireland, the house should not lend itself to an injustice under the notion of following and flattering popular opinion. The charge of neglect of duty on the part of baron Smith was brought before the house last session, and had been allowed to drop. Let it be remembered, too, that, at the time when the charge alluded to was delivered, there was no security for property in Ireland; insurrectionary violence had been prevalent, and even the king

had found it necessary to express his just indignation at the mischievous and organized system of agitation which had spread throughout the country. In its answer to his majesty, the house justified such sentiments; and the first step, forsooth, subsequent to this, was to drag baron Smith before the house for having recommended, that such agitation and disaffection should be discontinued.—Sir Robert Inglis, too, could not consent to enter into an inquiry, unless there was more specific evidence before the house. Baron Smith had cautioned the people of Ireland against the delusion which was practised on them in their being persuaded to call for a repeal of the Union. The English judges had more than once, during the commissions of 1812, 1817, and 1832, referred to the causes of the crimes which they deplored, and no one imagined that they ought to have been censured for making such allusions. Baron Smith had only endeavoured to give effect to the king's speech; his object was to support the law; and he saw no reason why a judge, for having done so, should be visited with censure, which would amount to condemnation. He moved, as an amendment, that the house do now pass to the previous question.

Mr. Sinclair having seconded the amendment, the Solicitor General declared his intention to vote for the original motion. One of the charges against baron Smith was neglect of duty: and there could be no doubt that the early attendance of the judges in their respective courts was absolutely necessary for promoting the ends of justice.

Sir James Scarlett was clearly of opinion, that the learned baron

had only discharged his duty, and if the present motion were carried, the Irish judges would lose their independence, and, that once gone, their resignations must be the inevitable result. He admitted, that a judge, in charging a jury, should not enter into party speculations; but when a judge was upholding the constituted authorities—when he was acting in aid of the law—when he was following up the recommendation of his sovereign—he did not see on what principle he could be chargeable with a violation of his duty. He had heard Mr. Justice Buller, and other judges, during the last war, advise the people to be on their guard against the introduction of French principles; and nobody supposed that their conduct was, on that account, liable to parliamentary investigation. On the contrary, instructions to that effect were given to the judges by the Chancellor of that day; there was also a proclamation by the Crown, calling on them, in their several departments to discourage, by their advice, all attempts to excite discontent and sedition. The immediate effect of a select committee being appointed to inquire into the conduct of a judge, would, in the event of the charge against him being sustained, be his removal from the bench. If there was any judge in Ireland who valued his independence, he should, on hearing of such a motion as that before the house being carried, give the government without delay an opportunity of appointing his successor. Mr. Serjeant Spankie likewise thought, that the government was here concurring in a measure which would have the effect of destroying the authority of the judges in Ireland;

VOL. LXXVI.

and sir James Graham declared that, as he valued his own independence of character, if the motion were acceded to, and an address presented to the Crown for the removal of baron Smith from his judicial rank, supposing even all the alleged facts to be proved, he could not but condemn it as a most unjust proceeding. He felt it impossible to support his colleagues in the view which they seemed to have adopted in regard to this question. The motion however was carried by a majority of 93, there being 167 in its favour, and 74 against it.

By lending themselves to this decision, government had involved the house of Commons in a situation of great embarrassment, and had pledged it to an inquiry which could end in nothing. Even if Mr. O'Connell had convinced a committee that baron Smith had acted wrong, the house could have done only one of two things—either impeached the judge or addressed the king to remove him. No man pretended that there was any ground for impeachment. Although a judge be removable on the application of parliament, he is removable on the address, not of one house, but of both houses; and the Commons could scarcely so far deceive themselves as to expect to be joined by the Lords in a proceeding like this. The ministers therefore probably were not displeased at finding themselves extricated from the difficulty, from the disgust—for such more than any other was the character of the feeling—which this attack upon an upright and able administrator of the law, by a man whose words and deeds had been devoted for years to pursuits leading to a disregard of all law, excited in the

[C]

public mind. The ministers did not gain, and the judge did not lose, in public opinion, by the readiness with which the former consented to hand him over to his adversaries. The house speedily became ashamed of what it had done. It had voted this select committee on the 13th of February, exposing the falsehood of O'Connell's charges. On the 21st, on the motion of Sir E. Knatchbull, after an animated debate, distinguished principally by an eloquent and powerful speech from Mr. Shaw, the vote was rescinded, notwithstanding the opposition of Mr. Stanley, and the order for appointing a committee was discharged, by a majority of six; 165 voting for Sir E. Knatchbull's motion, 159 against it. The political and party dislike which had instigated the attack, drew public attention to those who had made it, in a way which was not favourable to them; and was an unfortunate preparation for their approaching motion for a repeal of the union.

That greater question Mr. O'Connell, after many vacations of promises in Ireland, and many sessions of non-performance in London, found himself compelled to bring to trial, lest some of his more forward associates should take advantage of his backwardness to become a leader instead of continuing an humble follower. On the first day of the session he had given notices of two motions; one, that the house should take the act of union into consideration with a view to its repeal; the other, more indirect, for the appointment of "a select committee to inquire and report on the means by which the dissolution of the parliament of Ireland was effected—on the effects of that measure upon

Ireland, and upon the labourers in husbandry, and the operatives in manufactures in England—and on the probable consequences of continuing the legislative union between both countries." He proceeded only with the latter of the two; and brought it forward on the 22nd of April. Ministers, anxious to make the decision as solemn, and the majority as overwhelming, as possible, had moved for a call of the house.

Mr. O'Connell, who had been preparing the way during the previous part of the session by presenting petitions in favour of repeal, which he and his partisans had no difficulty in getting up, made his motion on the 22nd of April. The debate was continued by adjournment for several days. There had never existed, he said, a greater mistake than to suppose that England possessed any right of dominion over Ireland; and it therefore would be his first object to show, that England had no title to Ireland by conquest, and then to ascertain whether or not any right the former now possessed had been acquired either before or after the union. Upwards of two centuries had now elapsed since Ireland had first been recognized as a portion of the dominions of the Crown of Great Britain. In the year 1614, the distinction between English and Irish subjects was put an end to, the latter having previously been considered and held, in contemplation of the law, as enemies; and up to that year Ireland had been recognized as a distinct nation, with a distinct independent legislature. The year 1614, then, was the period at which for the first time the power of the king of England and Scotland was recognized in Ireland;

but still no title was acquired by battle or other means of subjugation either previously or since; neither was any right raised by general submission on the part of the people as subjects; nor, above all, was there any recognition of the Irish people as subjects by this country. In the year 1246, during the reign of Henry III. the Irish people applied to have the benefits of the British constitution extended to their own country. The application, though made under the sanction of the king, excited the jealousy of the English barons, and was ultimately rejected. Similar applications were made in the reigns of Edward I., of Richard II., and of Henry VIII.; and all of them were equally unsuccessful. The influence of the British in Ireland defeated even the mandate issued, on the death of the earl of Desmond, by queen Elizabeth for the attainment of the same object in the year 1584. During the reign of James I. there still prevailed on the part of the people of Ireland an anxiety to be governed by British laws, which was treated, however, by the government with silence and neglect, in order that the English settlers might continue unmolested to mature and accomplish their schemes of spoliation and robbery. The wealth of the nation became an object of cupidity; property was seized without right, and atrocities beyond description were perpetrated. The union of the two countries was ultimately the result of the most revolting crimes. The powerful were arrayed against the weak, the O'Connells against the O'Neill's, the illegitimate sons against the legitimate offspring of O'Neill; and thus the complete

command of the country was acquired, not by open conquest and fair subjugation, but by a series of the most unmitigated cruelties inflicted by one class against another portion of the community. The history of Ireland, during the reigns of Elizabeth and James I., teemed with unparalleled cruelties and crimes.* Such scenes proved beyond a doubt that no title could have been gained for England by battle or conquest, or by submission on the one side, and recognition on the other. It was proper that England and Ireland should know what really was the nature of their original connexion. The circumstances relating to the connexion of the two countries from the year 1633, were now part of our domestic history. At that time they existed as two nations under one sovereign. The history of Ireland under James I. was one of rapine and duplicity, equalled only by the crimes and wretchedness that disfigured the reign of his immediate successor. During the whole of this period, however, the right of Ireland to a separate legislature had never been questioned, and any attempt at authoritative interference on the part of the parliament of England had been considered an act of usurpation. The resources of Ireland were thus gradually unfolded; her commerce was extended, and her wealth increased. In the year 1782, she asserted once more the principle of her legislative independence; and his majesty, at the same time, recommended such

* Mr. O'Connell here read copious extracts from Morrison's History of Ireland to show the state of misery and degradation to which the country had been at this time reduced.

measures to be adopted as might allay the spirit of discontent that prevailed among his Irish subjects. This was immediately followed by an address from the Irish gentry, which, while it admitted the connexion between the two countries, distinctly claimed for the people of Ireland a right to an independent legislature. The consequence of the avowal of such sentiments was a compact between the English and Irish parliaments; the one resigning the right of interference with the internal affairs of Ireland, the other peremptorily denying that any such right had ever existed.

The next branch of his argument led him to consider what had been the effects produced on the internal condition of Ireland by the experiment of legislative independence having been made even under the most adverse circumstances. Fifty boroughs, it is true, had been erected in a single day, but there still was left sufficient virtue to neutralize their influence. The Irish parliament had neither approved of the expedition to Holland, nor supported the regency bill of Mr. Pitt. The non-residence of the gentry was another topic which must not be forgotten. As the landlords of Ireland departed, her prosperity declined. According to lord Clare, Ireland had advanced, between the years 1786 and 1796, in cultivation, in agriculture, and manufactures. This statement was corroborated by the testimony of lord Plunkett, Mr. Pitt, and lord Grey, all of whom had, on several occasions, affirmed that the internal prosperity of Ireland had advanced with her political independence. Her produce had become more valuable,

her exports increased in amount, and her consumption, in the same period of time, had risen in a greater proportion than that of England. These facts proved incontestably the gradual improvement which had then taken place in the general state of society in Ireland. Her independence had never been surrendered; and no parliament was competent to effect so violent a change. That power was vested in the people alone. A legislature had indeed power to make laws, but not to create new legislatures. On this point, however, he did not depend on his own general views, or on deductions from general principles. The doctrine was established by Mr. Locke, and recognized by Mr. Saurin, and even by lord Plunkett in the days of his unimpeachable consistency. By the declarations of these men he was justified in holding the opinion, that, parliament having been incompetent to pass the act of union, the act itself was, in its very nature, void.

But still further, he maintained that the union was not, as had been too generally supposed, an international contract; and, for a moment, granting it to have been so, it was procured under circumstances which necessarily nullified it. He at once admitted the obligatory nature of a contract with regard to those who were parties to it; but still, if an inquiry were granted him, he pledged himself to prove, that the union possessed none of the features of a contract, and that it had been consummated by the commission of every species of enormity, by intimidation and bribery, by treachery and violence. Rebellion had been secretly cherished, and religion perverted,

simply that the British government might acquire a complete and irresponsible control over the revenues of Ireland. England, by engaging in an expensive war, had incurred an enormous debt; and Ireland was, as a matter of course, called on to resign her resources to a nation which had hitherto uniformly repaid her with insolence and oppression. These were the sentiments not of himself alone, but of men such as chief justice Bushe and lord Grey, holding a high character in judicial and political life; and, these sentiments being correct, no nation could, in more direct and unequivocal terms, express its unqualified disapprobation of any national measure than Ireland did of a legislative union with England. Indeed the union seemed to have been effected by an organized system of military surveillance and intimidation. The army, for instance, had increased precisely in the same proportion as a necessity for its augmentation had diminished; public meetings were at one time suppressed; and, at another, a spirit of rebellion was secretly fostered for the specific purpose of having a more plausible pretence for carrying the odious measure of the union. Instead of the leaders in the rebellion being arrested and their treasonable meetings suppressed, the country was irritated into a higher degree of excitement and dissatisfaction by the cruelties which characterized the conduct of the soldiery. The army itself had been to such a degree demoralized, that sir Ralph Abercromby, who was in 1797 intrusted with its command, declared, in his general orders published in February, that it was formidable to all except the enemies of its country. In short,

the rebellion was permitted to ripen and explode, that by cherishing civil and religious animosities the union might, with some semblance of reason, be ultimately accomplished. To intimidation was added bribery. All persons holding office under government, even its most subordinate servants, were, on the one hand, dismissed on the slightest suspicion of their being actuated by any secret disinclination towards the union; and, on the other hand, the statement of Mr. Grattan that three millions of money had been squandered remained still uncontradicted. Peerages had been created and conferred, promotions in every department of the state had taken place, and rotten boroughs had been purchased at an extravagant price, for the single purpose of effecting the union of the two kingdoms.

Having thus shown the incompetency of parliament to pass the act of union, and detailed the dishonourable means by which it was accomplished, he proceeded next to prove, that the financial and legislative terms upon which that great question had been settled were, in their very nature, fraudulent and unjust. The financial terms of the union had, in the absence of any commissioners or committee, been arranged without the slightest regard to the relative amount of the debts of Great Britain and Ireland. The latter was charged with two-seventeenths, instead of one-eighteenth, of the gross amount of the expenditure of the two countries; and the consequence was, that the resources of Ireland had been found altogether inadequate to the payment of the proportion of the debt which had been so unjustly assigned to her. This state of

comparative bankruptcy was certainly no proof of any important advantages having been bestowed on Ireland by the union. Besides, five millions had been added to her taxation, and her revenue had been thus rendered less productive than before; and, therefore, when it was taken into consideration that the amount of revenue did not necessarily increase with the rate of taxation, Ireland did not, as had sometimes been erroneously supposed, obtain a bonus of thirty-nine millions in consequence of the difference between the British and Irish rates of duty. Nor ought it to be forgotten, that, absentee rents not having been taken into consideration for the purpose of diminishing the amount of taxation to be borne by Ireland, additional burdens were thrown upon her, while, at the same time, the revenue of England had progressively increased by the very means which could not fail to impoverish the sister country. There was no fair and equitable proportion observed between the reduction of the war expenses of England, and those of Ireland. This injustice was only surpassed by the legislative terms of the union. Looking to the amount of the profits of her commerce and her revenue, she was entitled to return one hundred and sixty-five members to parliament, and yet these had been at once, and without any good reason, reduced to one hundred and eight. By one act of the British parliament, power was given to distrain for tithe or church-rate in Ireland; and by another, she had been summarily deprived of the blessings of the British constitution. By an unbroken succession of insurrection acts, martial law, and coercion bills, there had been in Ireland,

for more than twenty years, a complete prostration of all constitutional rights.

As these were the remote consequences, so the more immediate effects of the union were not less fatal to the interests of Ireland. It could not be denied that absenteeism was a national evil, that this evil had been, at least, beyond measure aggravated by the union, and that the most melaucholy predictions of the calamities that would thence befall Ireland had been in every point amply fulfilled. Taxation was increased, capital was depreciated, much less wealth was circulated among the middling and lower classes of the community, and the people, broken in spirit and distrustful of the future, were under the necessity of seeking for the common support and usual comforts of life by emigrating to distant parts of the British empire. Nothing again could be more fallacious than to suppose, that the commerce of Ireland had flourished since the union. The improvement was merely apparent. The export of raw material, and the import of manufactured goods, by no means proved the existence of a profitable trade. According to this mode of reasoning, it might be demonstrated that Newcastle was more prosperous than Liverpool, because the former could boast of more annual tonnage than the latter. The apparent increase of shipping arose simply from the multiplication of voyages by the same vessels with the same cargo; and this was, in no sense, an evidence of mercantile prosperity.

Looking at all these circumstances, he dreaded the probable consequences of a continuance of the union. Ireland felt strongly on the subject. Let, then, her

bitter recollection of the past be for ever effaced by the restoration of her people to their inalienable rights. He advocated repeal, that he might prevent separation, which, he thought, would be a measure fraught with incalculable mischief to both countries. He desired the federal connexion of the two kingdoms, that, in the hour of common danger, they might afford protection to each other. But let her own parliament be once more restored to Ireland. The British parliament had never been competent to legislate for Ireland; the union had been carried by a train of unparalleled crimes; the financial and legislative terms on which it had proceeded were impolitic and unjust; Ireland had been deprived of her constitution, her people stripped of the means of existence; and final separation might, ere long, be the result of obstinate resistance on the part of England. The connexion between the two countries might still be established on principles of international right and justice. Ireland had been hitherto governed not by constitutional law, but in the spirit of despotism; and, therefore, he demanded at the hands of England a restoration of her national legislature.

Mr. Spring Rice, having made a few explanatory remarks, said, that he intended to move an amendment declaratory of the importance of maintaining the connexion between Great Britain and Ireland, and that the united parliament, having hitherto devoted anxious attention to the interests of Ireland, was determined to persevere in the course which they had already adopted. He should likewise propose, that the resolutions agreed upon by the house of

Commons should be communicated to the peers, in the shape of an address to the crown, that their sentiments on this question might be confirmed by the answer of the king. This was the proper and constitutional mode of giving to any proposition, which had for its object the dismemberment of the empire, a decided, distinct, and unequivocal opposition. He did not mean to refer to periods of barbarism, nor did he think it necessary to justify, by argument, a right of domination on the part of England,—a right which had been claimed and exercised without dispute, and without intermission. A federal union existed between the two countries, in the year 1782; they were, at that time, connected only by the link of the crown, and each enjoyed the advantage of the wisdom and counsel of its own parliament; but so ill adapted was the working of the system for the practical purposes of civil government and national security, that, while England remained at peace, Ireland was on the verge of being plunged into a war with Portugal, and the proceedings of her domestic legislature were over-awed and controlled by a violent assembly out of doors, with lord Charlemont and Mr. Grattan at its head.

It had been denied that the Irish parliament had a right to pass the act of union; and if this were true, it followed that Ireland could not be bound by the enactments of the British house of Commons; that the Roman Catholic relief bill was null and void; and that not a few Irish members ought to be excluded from the seats which they now occupied as representatives of the people. Before the concession of

the Catholic claims, Mr. O'Connell was anxious to carry that measure, that the union between the two countries might be rendered cordial, perpetual, and complete; and the motion now before the house, was the proof which he offered of his political honesty, consistency, and gratitude.

They were not called upon to defend the means by which the union had been originally accomplished: the only question was, ought it to be repealed? It was not true, that rebellion was fomented for the purpose of affording an apology for the union. The object of all the discontents during the rebellion was not dissimilar to that which was contemplated by the present system of agitation—a dissolution of the connexion subsisting between the two countries. It was absurd to suppose that the rebellion was secretly encouraged for the purpose of justifying the union. Authentic history disproved the statement; human nature falsified the supposition.

Instead of having passed only insurrection acts, the imperial parliament had removed the grievances, and by legislative measures had protected and encouraged the industry of Ireland. The free trade in corn which had been granted was, of itself, an incalculable advantage to that country. Under the first Irish parliament, she was dependant for corn on a regular importation from year to year; but now she did not merely maintain herself—she had a convenient and certain market for the disposal of her surplus produce. Her trade had been disencumbered of many vexatious regulations; her banking system had been improved; her fisheries and mines

had been encouraged; her public credit supported; the tithe commutation bill amended; her courts of law reformed; her public charities patronized,—all national benefits, which the member for Dublin had either forgotten, or intentionally had declined to notice. This part of the case might be made to rest on the point of education alone, which, prior to the union, was prohibited at home, and made penal, if received abroad. Since that period a board of education had been appointed; charities had been founded; prisons had been erected; labourers had found employment in the improvement of the crown lands; and large sums of money had been at once liberally and judiciously distributed. The natural consequence of all these measures was, that trade and navigation had comparatively flourished, and the general prosperity of the empire had increased. Prior to the union, on the other hand, there were petitions from all quarters of Ireland praying parliament to devise and adopt measures for the revival and re-establishment of manufactures. A repeal of the union would necessarily be followed by a speedy return to the former restrictive system of commerce, which would prove destructive to the manufacturing interests of Ireland. The annual house-rental of Dublin had increased by a very large amount since the union, and national distress had increased neither in severity nor extent. Indeed all the evidence that could be collected on the subject attested the steady and rapid progress of Ireland in every thing that constituted the prosperity of a state.

He did not consider this a con-

test for victory : a more valuable stake was at issue. On this question there had been no compromise, and there should be none. He had said enough to justify the vote which he called upon the house to give in support of the plain and permanent interests of the two countries. To repeal the union and at the same time hope to maintain a profitable connexion with Great Britain was contrary to all experience and the principles of all government. A constitutional monarchy would be overthrown and speedily succeeded by a fierce democracy. The people of Ireland were not prepared for a domestic legislature. Power would be abused, party spirit would increase in rancour, and the rash measure would be followed by the entire subversion of the empire. He moved, therefore, that an address be presented to his majesty, expressive of the fixed and steady determination of the house of Commons to maintain inviolate the legislative union between Great Britain and Ireland, a determination justified not only upon general grounds, but for reasons of special application to Ireland ; and that, while the house should endeavour to remove all just causes of complaint alleged by the people of Ireland, it would, at the same time, promote all well-considered measures of rational liberty.

Mr. Emerson Tennant seconded the amendment, which he thought well calculated to elicit a full and fair examination of the merits of the question ; and the result of a calm and dispassionate inquiry would be such as to convince all, who were capable of reasoning, of the absurdity of entertaining for a moment the idea of a repeal of

the union. He anticipated, likewise, from this debate, a decline in the amount of the tribute ; because the Irish peasantry would not continue to pay for pursuing an object that was unattainable, and it would be found that as money failed, agitation would subside. The advocates of repeal left all the details and calculations to its opponents, and indulged in unmeaning declamation, while they ought to have proceeded on facts and according to evidence.

Ireland, it had been affirmed, enjoyed before the union unprecedented prosperity, which was entirely attributable to the legislative independence of her domestic parliament ; and from this it had been inferred that the present evils of Ireland had originated in the dissolution of that parliament. Now, he maintained, in the first place, that the evils, which at present afflicted Ireland, might be traced to causes that were in operation centuries before the union, and that, the Irish parliament never having been independent, the prosperity attributed to that supposed independence either did not exist at all, or was referable to other causes ; and, secondly, that Ireland, since the union, had enjoyed a degree of national prosperity and improvement, which she never could have attained under any other circumstances. Ireland was by nature dependent in her interests and fortunes on other countries, and rose or fell according to the policy pursued by them. A close connexion between England and Ireland was thus essential to the welfare of the latter, and a community of fortune was now indispensable to the security of the British empire. England, aware of the

importance of this object, did not fail to pursue it, and the result was the conquest of Ireland by Henry II. The connection thus commenced could be perpetuated only by one or other of two expedients : either by coercion, or by such a modified constitution as left to England a controlling check over the Irish legislature. The former system was rigorously pursued till 1782, when the people of Ireland, with arms in their hands, demanded and obtained an amelioration of their condition. But although the British parliament resigned the right of making laws to bind Ireland, her legislature remained as fully under the control of the English ministry as before. That ministry had indeed resigned the privilege of opposing the introduction of any bill, but retained the power of a veto when it had passed. At the very moment when the Irish legislature was asserting its independence on the principle, that the king governed Ireland, in his right to the Irish crown alone, it was enacted, that the great seal of England should be appended to each act by an officer of the English cabinet, amenable to, and impeachable by, an English parliament alone—an expedient intended to prevent any public or local act being passed in Ireland, which might be incompatible with English interests or might lead to the separation of the two countries. But not only in those measures in which the Irish parliament was allowed to legislate at all was she thus amenable to a superior power ; she was, likewise, completely excluded from all external legislation. She was compelled to register the acts of Great Britain, however prejudicial these might be to her interests.

Possessing the right of dissenting from the general policy of the empire, she dared not assert her privilege, as the result might possibly have been hostility with England. With the outward parade of independence, she was controlled by a British cabinet, and she dreaded English policy ; her control over the Irish exchequer was annihilated ; the viceroy was responsible for his administration to the British parliament alone ; the elements of free representation had disappeared amid crowds of placemen and the nominees of patrons ; and surely such a system of political imbecility could never be mistaken for national independence. Ireland relied, at that time, on British credit for the security of her supplies ; her commerce was indebted to a British navy for its protection, and to British treaties for its extension.

The internal prosperity of Ireland called on her to foster a close connexion with England, which could afford an ample home market for her agricultural produce, and open up to her new channels for the extension of her commerce. Amid the conflicting interests and awakened jealousies of the two countries, a union was found to be the only expedient to allay all apprehensions, to reconcile all differences, and combine the prosperity with the constitutional rights of both countries. The progressive improvement of Ireland between the years 1782 and 1800, though not equal to the advancing prosperity of England or Scotland during the same period, was to be attributed entirely to the general prosperity of the empire, and not to the imaginary influence of her constitutional freedom, or to the dignity and in-

dependence of her parliament. Her boasted liberty could not even ensure to Ireland the blessings of domestic tranquillity. Internal dissensions were arrayed not unfrequently in the horrors and ferocities of civil war; and while enjoying free trade, unrestricted agriculture, and her own constitutional parliament, Irish discontent kept pace with the growth of Irish prosperity, discord increased with wealth, and conspiracy and rebellion sprang up with national improvement. To preserve a connection between countries so unequal in power and resources as were England and Ireland, it was necessary to sacrifice, in some degree, the independence of the weaker of the two; and this very circumstance, producing irritation, distrust, and impatience of all control, led Ireland to submit only so long as her spirit was unformed and her resources undeveloped. All bands of union had consequently proved uncertain securities for the permanence of connexion between the two countries, till an incorporate union was adopted by both in the year 1799.

And now recurred the question, had this union realized the intended object? Every statement, which could be viewed as authority, afforded the fullest evidence, that, during the last thirty years, the prosperity of Ireland had been unprecedented—her shipping had been doubled, her imports and exports proportionally increased, her cotton trade created; and the source of all this prosperity was to be found in British connexion, and a participation of British liberty and wealth. That the union had not succeeded in producing unbroken tranquillity in Ireland was to be ascribed to the

dominion of priestcraft and the delusion of demagogues. The professed object of repeal was to render Ireland an independent nation; but that could never be attained, if there was any specific meaning attached to the terms used. She was to be invested with no new discretionary powers in matters of peace or war; disobedience to the commands of England in such an emergency would immediately and inevitably lead to separation and subjection. She was to have no control over the services of the army or the navy, while she was to bear her proportion of the expenses of both countries; her parliament was not to be allowed to legislate concerning intercourse with Great Britain and the Colonies, and still less could she be permitted to interfere with the affairs, or control the revenues, of the Irish church; and having thus no authority in matters of peace and war, in arrangements, colonial, commercial, or ecclesiastical, the Irish peasantry, ignorant as they were, would speedily discover the delusive nature of the present measure as aiming at something called a “federal connection” between the two countries, which, in its nature and purposes, was to him utterly unintelligible. Such alliances had ever been found to cherish jealousies and hostile competition, and to favour the designs of internal enemies. It had always been through independent Ireland that attacks had been made on the liberty of England. Holland, Germany, and Switzerland had, each in its turn, felt the insufficiency of federal alliance against external aggression. If Ireland dissolved the union, subjection to England was her only alternative. The

interests of Britain, in relation to other European powers, demanded that Ireland, if not her friend, should be her dependant. In short, the union was sound in its nature, and beneficial in its results; repeal he considered impracticable, and the simple agitation of such a question fraught at once with mischief and delusion. Admitting that the union had been originally carried by atrocities and corruption, the iniquity of the object was not established by asserting the iniquity of the means. It was to the diffusion of domestic tranquillity and the suppression of agitation that Ireland must look for the return of national prosperity and comfort. Internal dissensions alone had disturbed the tranquillity and retarded the improvement of that country, the union of which with England was essential to the stability of the empire.

Mr. F. O'Connor denounced the amendment as arbitrary in its nature, and calculated to make the house of Commons pledge itself against the consideration of this question. The union, however, it could not be concealed, had already injured, and would continue to prove prejudicial to, the interests of Ireland. The increase of her exports and imports afforded no proof of her growing prosperity, for her exports were articles of food, and her imports consisted only of those things which the decline of her manufactures had rendered her unable to produce. Cattle were exported, because it was found impossible to rear profitably live stock for home consumption, and the exportation of the necessaries of life could not be taken as a proof of the increasing wealth of a country. The annihilation of trade and agriculture, the

poverty and misery which pervaded every district of the island, were merely the results of the union. The large proprietors, who were absentees, could neither know nor mitigate the wretchedness which they did not see. Land had fallen to less than one-third of the value which it bore at the period of the union. The petitions from all quarters of Ireland for a repeal proved, at least, that the people of that country considered the measure essential to their prosperity. They desired neither French connexion nor popish ascendancy; but if the measures of the English parliament continued to be what they had hitherto been towards Ireland, revolution on her part would be legalized and rebellion would become a virtue. In everything around him, he found reason to believe, that neither the one country, nor the other could be happy, while the union continued.

Mr. Littleton condemned the inflammatory language addressed by Mr. O'Connell to the ignorant population of Ireland, and the delusive hopes which he taught them to cherish in regard to the blessings to be enjoyed under a domestic legislature. Ireland was to be regenerated; a tax of seventy-five per cent was to be imposed on absentees; and his expedient for carrying capital into Ireland was, that the proprietor of an estate in that country was to be declared incapable of holding property elsewhere. If the people of Ireland were to be taught such doctrines and deluded by such extravagant opinions as these, the bond of property, which was the strong link between England and Ireland, would be destroyed, and the separation of the two countries would

ere long, be a more practicable scheme. The plan contemplated by the motion before the house would eventually render such a separation inevitable; and the language, by which the doctrine of repeal was enforced, while it disgusted every intelligent man, might ultimately prove dangerous among the ignorant and unwary.* No spectacle could be more contemptible than that of a body of men assuming the title of a deliberative assembly, and quaking, at the same time, under the terror of an armed constituency. Besides, the profligacy of the Irish government, acting in connexion with the Irish house of Commons, exceeded all belief. The pension list, prior to the union, amounted to 85,000*l.*; lucrative places were bought and sold; the hereditary revenues of the crown were prostituted to the most unworthy purposes; and the spirit of corruption pervaded every department of the public service. There was no knowledge of the principles of government, and no respect for political purity; and these evils, which were formerly connected with the existence, would undoubtedly be revived with the re-establishment, of a domestic legislature. The very agitation of the question was hostile to the social happiness and progressive improvement of Ireland; and the respectable classes of both countries ought to support government in their endeavours to

maintain the institutions of the empire.

Mr. Barron, in supporting the original motion, ascribed all the evils of absenteeism, the ruin of the fisheries, the decline of one species of manufacture and the total disappearance of another, a diminution in the means of employment, and a fall in the wages of labour, to the baneful influence of the union. He complained, likewise, of an undue proportion of the common debt of the kingdom having been assigned to Ireland, and of her taxes having been unduly increased. He pronounced the dread of Catholic ascendancy to be visionary, so long as the three estates of the realm were essentially Protestant; and separation, he thought, would never be contemplated by Ireland, so long as she found England the most favourable market in which to purchase manufactures on the one hand, and dispose of her own agricultural produce on the other. Interest would bind the two countries much more closely together than any system of legislation.

Mr. Ruthven said, that looking at the numerical force of the Irish people, and their dependence on the generosity of England for any degree of prosperity which they enjoyed, it was not surprising that there should be a demand for repeal. Ireland ought to possess as a right what she had hitherto received as a boon. She demanded a federal union on equal and independent terms, which would prove a source of tranquillity to both countries.

Sir D. K. Sanford could not accede to the motion till two points were established, viz. that Ireland had enjoyed prosperity before the union, and, ad-

* At the dedication of a Roman Catholic chapel at Kildare, Mr. O'Connell used these words;—"Why, if the parliament were sitting in Dublin, and your representatives doing wrong, you could take your short sticks in your hands some fine morning, and go up and tell them to vote honestly and rightly."

mitting that the union had impeded her advancing welfare, that this was the proper time for making the experiment of repeal. No evils had resulted to Scotland from absenteeism, because the people were submissive to the authority of the law, and exempted from the influence of political agitation. Scotland afforded a proof of the advantages which a poor country might derive from being closely connected with a rich one. He would oppose the measure, because he believed it to be pregnant with evils to both countries.

Mr. Grattan said, that admitting the union to have been a contract, England had failed to fulfil the terms of it. The laws of England, for instance, had not been extended to Ireland, although the latter had contributed to pay the debt, and fight the battles of the United Kingdom. The history of British connexion with Ireland was written in blood; hopes had been blighted, and promises had been broken. The value of property in Ireland had fallen since the union; and official returns proved that her trade and revenue had proportionally suffered deterioration. He had no doubt that a repeal of the union would promote the permanency of a connexion with Great Britain, which was essential to the safety and well-being of both countries.

Mr. Lambert was of opinion, that something more distinct and decisive ought to have been submitted to the house than merely a resolution to inquire into the means by which the union had been accomplished, and the probable effects of its continuance. This mode of proceeding could no more lead to any practical result, than the appointment of a com-

mittee to inquire into the circumstances attending the original invasion of Ireland. There had not been one-twentieth of the expected number of signatures to petitions for repeal, a deficiency which proved at once the total indifference of the Irish people to this measure. Instead of the misery which had formerly prevailed, rapid improvements had, during the last thirty years, pervaded all the departments of civilized life in Ireland. If there were two independent legislatures, jealousies and collisions would be the inevitable consequences. And how could the Irish parliament, in the event of a difference of opinion, resist the will of England? or, conscious of not having the power of resistance, how could she submit to be merely the instrument of registering the edicts of an assembly, of which she pretended to be perfectly independent. The first measure, in all probability, of an Irish parliament would be the imposition of prohibitory duties on every article imported from England; and this being, of course, met in England by similar duties on all agricultural produce imported from Ireland, the latter would be thrown upon her home consumption without money to pay for it. England would be supplied from the other markets of Europe, and Ireland would be left to prosper on the "great, glorious, and free" principle of Mr. O'Connell. He believed that agitation was fostered in Ireland with ulterior and most dangerous views. It disturbed every social relation, set the tenant against the landlord, and the landlord against the tenant, and involved the whole country in angry and mischievous contentions. The na-

tional tribute had become a national nuisance, and had converted houses of religious worship into scenes of political dissension—of menace and of insult. He gave his cordial support to the amendment.

Mr. Sheil begged the house to remember, that the question was, whether it would assent to an inquiry into the consequences of the union, or concur in the amendment, which expressed a belief that salutary laws had been enacted for Ireland by the imperial parliament, and a determination to maintain the legislative union unimpaired. It could not be proved that the financial prosperity of Ireland, admitting its existence, was the result of the union: nor could he see how its repeal would lead to the abolition of free trade between the two countries. Besides, the revenue of Ireland had been employed in paying to England the interest of the sum which she had been compelled to borrow, and her capital was thus squandered in advancing the interests of England. He complained, likewise, that Irishmen were excluded from all official favours, and that a church with enormous revenues was supported by a majority of the people, for the exclusive advantage of the minority. If a dissolution of the union should not be speedily conceded, the mass of the people of Ireland, Protestant as well as Catholic, would, ere long, form an association which it would be difficult to resist.

Sir Robert Peel was anxious to make some effective progress in this debate; and he believed that no array of official documents, and no force of argument, could strengthen the conviction of the great majority of the house,—a

conviction that lay deeper than any argument could reach—that they would, on no account, consent to dismember the British empire. There were convictions to which the feelings of the heart applied as much and as well as the faculties of the mind. “Repeal the union!” exclaimed Mr. Canning, “re-enact the heptarchy!” The security of the empire depended on the maintenance of that union, without which England would be reduced to the condition of a fourth rate power in Europe, and Ireland to the desolation of a wilderness. Looking at the relative position of the islands with the other powers of Europe, and the empire rising on the other side of the Atlantic, it was impossible not at once to perceive the impracticability and madness of such a proposition as that before the house. Nature herself proclaimed the folly of such a scheme. To preserve the existence of these islands as a leading power of Europe it was absolutely necessary that they should be governed and directed by one supreme head and one supreme legislature. Catholic emancipation had not been followed by the anticipated quiet and satisfaction; political agitation had not ceased with the removal of political disabilities; and concession had only led to more frequent and more presumptuous demands. In the year 1823 the individual who had now introduced this question, in his examination as a witness on the subject of Catholic disabilities and a repeal of the union, gave evidence that, on the settlement of the Catholic claims, the great body of the people would be perfectly contented with the union, and that a dissolution of it was

alluded to in public assemblies merely for the purpose of rhetorical excitement. Why then should not that gentleman support the present resolution, the principle of which he so strenuously maintained at that time? If the union was then indissoluble, surely it must be still more so now when the disabilities affecting the Roman Catholics of Ireland had been altogether removed.

It had been alleged that injustice had been done to Ireland by the act of the union, inasmuch as the proportion contributed by her to defray the expenditure of the kingdom was too high. That rate, however had been fixed by the Irish parliament itself; and as to any stipulation that the surplus revenue of Ireland should be spent in that country, it would be well to ascertain where such surplus was to be found, and to remember that the revenues of the two countries had been placed upon one common system.

While he did not pretend to deny that the evil of absenteeism existed to a great extent, he could not see how that was to be cured by a repeal of the union. It was to be attributed entirely to the baneful system of agitation, which, by embittering all the sources of society and exposing property and life to danger, induced every man, who had the means of securing to himself the comforts of life, to withdraw himself and family from that unfortunate country. A separate legislature could not alleviate the poverty of Ireland. Notwithstanding the vigilant administration of the poor-laws, distress was to be found even in England.

Were such a measure as the one proposed to be adopted, the Protestants of Ireland would have to

encounter real and not imaginary dangers. It was only necessary to refer to the spirit of hostility to England and English connexion, which was breathed throughout the speech by which this subject had been introduced, to foresee the ruinous consequences of a repeal of the union.

The establishment of a really independent legislature in Ireland would lead to incalculable evils in the administration of the affairs of the country. The one executive and parliament of the empire would be continually coming into collision with the other. In consequence of the evils arising from such a constitution in America, it had been found necessary to establish a general representative congress for the determination of all questions affecting the union; while local affairs were left in the hands of the respective legislatures. It could not safely be left to Ireland to fix her own proportion of the public burthens of the two countries; and, on the settlement of the commercial system or on the subject of foreign relations, the very existence of two independent legislatures would involve both countries in inextricable difficulties. These apprehensions had been more than once realized. One dispute occurred between the legislative assemblies of the two countries in the year 1785; and this was followed by another on the subject of the regency, which involved the fundamental principles of all civil government. There had been but two occasions on which the English and Irish parliaments could quarrel, and on both they did quarrel. It was true that by statute whoever was *de facto* king of England was *de jure* king of Ireland; but

while William III. was *de facto* king of England, James II. was the chosen monarch of Ireland. And were matters of such national importance to hang upon the peculiarities of any case, or the changes of any British cabinet?

The spirit, which pervaded the speech by which this debate had been opened, was to him sufficient ground for resisting the measure of repeal. He could have no security for the protection of law, property, or individual liberty, so long as the slightest degree of influence was exercised over the ignorant population of Ireland by one who had lately volunteered to strengthen by his counsel the physical force of the metropolis. The British parliament had always endeavoured to hold the scale of legislation equally between the two countries; and supposing the connexion to be broken, he would prefer a complete separation to the system that existed before the union. In truth, he entertained serious doubts whether, if the union were to be repealed, it would not be the better course to consent at once to a separation, and thus absolve England from the responsibility which would otherwise attach to her.

The union had now endured thirty-three years, within which period the events of centuries had been crowded, and Great Britain alone, of all the European powers, remained safe from foreign aggression, her armies joining in one common exertion, and glorying in one common, victory. During that period the legislature was guided by the wisdom of Pitt and Castlereagh, of Fox and Grattan; and the British army was under the command of Wellington, who with his back to the sea, on the

VOL. LXXVI.

rock of Lisbon, saw Europe in dismay; and never ceased from his glorious labours till the whole continent was emancipated. How then could the house listen to such a speech as that by which the motion had been introduced, conceived in a spirit so mischievous and having for its object the dismemberment of the empire? A separate parliament in Ireland would amount to a disbanding of society; and new relations having sprung up since the incorporation of the two countries, to retain Ireland, after a dissolution of the union, within her proper orbit in the system of the empire, would require the might of that omniscient and omnipotent power by which the harmony of the planetary system had been arranged and was sustained.

Mr. O'Callaghan acknowledged that he stood pledged to support a repeal of the union on all possible constitutional grounds.—Mr. Sergeant Perrin thought that no man who heard the conclusive speech of the member for Tamworth could expect to carry the proposed measure but by violence. Sir Robert Bateson and Mr. Lefroy said, that the great majority of the rank, wealth, and intelligence of Ireland were hostile to repeal—that any serious attempt to effect it would prove ruinous to the established church, and terminate probably in a civil war—that the measure, in short, before the house was disclaimed and disavowed by all the moral weight and influence of the country.—Mr. R. C. Fergusson and Sir Hussey Vivian contended that, if the union were dissolved, the prosperity of the empire would be at an end; and Mr. Hume could give his assent neither to the amendment, nor to the motion,

[D]

which however innocent in itself, had been supported by very dangerous doctrines on the part of the member for Dublin.

Lord Althorp felt anxious to state in a single sentence the grounds on which the question ought to be decided. The simple question was, whether a repeal of the union would be, at present, beneficial to Ireland or to the empire at large. Now the increased value of land proved that agriculture had advanced since the union. The single circumstance of sixteen millions of funded property having been transferred to Ireland since the union, proved that the measure had been highly beneficial. Repeal would lead either to total separation, or to the utter degradation of the legislature of Ireland. He should, therefore, support the amendment, which declared, that, while the imperial parliament had already given much attention to the affairs of Ireland, it was still prepared to do all that was necessary for promoting the interests of that country.

The amendment was carried by a majority of 485—there being 523 votes for the amendment, and 38 for the original motion. The minority, with one exception, consisted entirely of Irish members. Mr. Mullins moved an amendment, “that it is the opinion of this House that an address to his majesty, having for its object the suppression of any question consistent with the principles of the free constitution of the British empire, without a previous inquiry into, and report upon its merits, by a committee of this House, would furnish a precedent highly prejudicial to the interests of any portion of his majesty’s subjects respectfully seeking for redress of

grievances, and at variance with those principles which this House, as representing the great body of the people, is called upon to support,”—but this amendment was immediately withdrawn.

On the 30th of April, the Commons, in a conference, communicated to the Lords the address which they had voted. The address was the following,—a blank having been left, which the peers filled up with the words “Lords Spiritual and Temporal.”

“We, your majesty’s most dutiful and loyal subjects, the Commons in parliament assembled, feel it our duty humbly to approach your majesty’s throne, to record in the most solemn manner our fixed determination to maintain unimpaired and undisturbed the legislative union between Great Britain and Ireland, which we consider to be essential to the strength and stability of the empire, to the continuance of the connexion between the two countries, and to the peace, security, and happiness of all classes of your majesty’s subjects.

“We feel this our determination to be as much justified by our views of the general interests of the State, as by our conviction that to no other portion of your majesty’s subjects is the maintenance of the legislative union more important than to the inhabitants of Ireland themselves.

“We humbly represent to your majesty, that the Imperial parliament have taken the affairs of Ireland into their most serious consideration, and that various salutary laws have been enacted since the union for the advancement of the most important interests of Ireland, and of the empire at large.

“ In expressing to your majesty our resolution to maintain the legislative union inviolate, we humbly beg leave to assure your majesty, that we shall persevere in applying our best attention to the removal of all just causes of complaint, and to the promotion of all well-considered measures of improvement.”

The peers, after a few observations from earl Grey, the lord Chancellor; the duke of Wellington, the marquesses of Londonderry and Westmeath, all in one spirit, unanimously concurred in it. It was then presented to the king as the joint address of both Houses, and his majesty returned the following answer :—

“ It is with the greatest satisfaction that I have received this solemn and united expression of the determination of both houses of parliament to maintain inviolate the legislative Union between Great Britain and Ireland, which I en-

tirely agree with you in considering as essential to the preservation of the integrity and safety of the British empire.

“ You may rely, therefore, upon my discharging with fidelity and fearlessness the sacred duty which I owe to my subjects, in exercising those powers which are invested in me for their protection against attempts, which, if successful, must necessarily produce a separation of my dominions.

“ In thus expressing my concurrence in the determination which you have so justly stated, I look back with satisfaction to those salutary laws which since the Union have been passed for the advantage of the interests of Ireland, and I shall at all times be most anxious to afford my best assistance in removing all just causes of complaint, and in sanctioning all well-considered measures of improvement.”

CHAP. II.

State of the Cabinet on Irish Ecclesiastical questions—Mr. Ward's Motion for a Reduction of the Irish Church Establishment—Schism in the Ministry on the subject of the appropriation of Church Revenues—Resignation of Mr. Stanley, Sir James Graham, the Duke of Richmond, and Earl of Ripon—The King's Declaration in favour of the Church—Commission issued to inquire into the Irish Church—Debate on Mr. Ward's Motion—Discussion in the House of Lords regarding the Issuing of the Commission—Resolutions by Government concerning Tithes in Ireland, proposed—Opposition of the Agitators—Bill founded on the Resolutions brought in—Debate on the Second Reading—Alterations made in the Bill to conciliate the Irish Opposition—Debate on Motion, by Mr. O'Connell, to appropriate Church Revenues to purposes of Public Utility—Farther Alterations introduced into the Bill—Debate on the New Resolution proposed by Government.

IN opposing an open and determined resistance to the demand of the Irish agitators for a repeal of the union, ministers carried along with them the sense and feeling of the people; that was a question on which no man differed from the government, except O'Connell and his followers. The questions connected with the Irish church stood in a different situation. The agitators supported the repeal of the union, not more as being a measure which would tend to perpetuate their own domination, than as one which would secure the downfall of the Protestant establishment. Many, likewise, who resisted repeal, demanded changes and curtailments in that establishment, which they considered to be the principal cause of all the turbulence and misery that disfigured

Ireland. Others, who disliked it, not because it was a protestant, but because it was a religious establishment, inveighed against what they termed the unhallowed connexion between church and state, and the practical injustice of compelling men of one belief to contribute to the support of the institutions of a different creed; and they were ready to attack the revenues, or even the existence, of the church of Ireland, as the first step towards assailing the churches of England and Scotland. Union in the cabinet, with an honest resolution not to be driven farther than they would themselves have been inclined to go, would have rendered the ministry sufficiently strong to resist successfully these destroying reformers; but the cabinet unfortunately was, on this question at least,

the chosen abode of dissension. When ministers introduced, in the preceding session, the bill for regulating the church of Ireland, which passed into a law, they had not announced any intention of following it up, within a few months, by a measure founded on a different and a fatal principle, which would confiscate the property of the church, or part of its property, to other than Protestant ecclesiastical purposes. From that very bill they had withdrawn a clause which bore this character; and, by doing so, they had incurred the reproaches of the heterogeneous mass of church reformers. One portion, and numerically the strongest portion, of the ministry, now seemed inclined to yield the contested ground, and admit the principle, that the revenues of the Irish church should be pared down to a proportion approaching more nearly to that which its members bore in numbers to those of the church of Rome. The minority, on the other hand, however willing they might be to remove striking and useless inequalities in the distribution of that revenue, or to adopt measures which would prevent irritating collisions in its collection, resisted, on principle, any appropriation of it to other purposes, and above all, refused to acquiesce in any proposal for making the efficiency of the Protestant establishment depend on the comparative strength or weakness of the opposing church. This discordance of opinion, and the impropriety of so soon impugning the settlement of last session, would have prevented ministers from voluntarily starting the question. Even the majority

amongst them were more ready to concede than to originate. They would not of themselves have headed the march against the church, though they might be disposed to fall into the ranks, in order to secure the countenance of a numerous and noisy party, who made up in fury and zeal for their infinite deficiencies in knowledge and discretion, and who objected to them, moreover, that, in attempting to shield the Irish church, they were apostatizing from the great principles of reform.

That party, however, forced the question upon them. On the 27th of May, Mr. Ward, one of the members for St. Alban's, moved a resolution declaratory of the justice and necessity of immediately depriving the church of Ireland of part of its temporalities. In supporting his proposition, he contended, that vital and extensive changes in the church of Ireland had now become unavoidable on grounds of mere expediency. The tithe system was the source of all the disorganization that prevailed in Ireland. Resistance to it had become almost universal, extending from the north to the south, comprehending Protestants as well as Catholics, and threatening a determined opposition to all legal dues. Mere commutation would effect no good: nothing less than a new appropriation of church property would produce even a momentary calm. The great grievance consisted in the levying of tithes on a Catholic population for the support of a Protestant church; and this could not be cured by any change merely in the manner of collecting the impost. The system too, of ad-

vances and repayments had been tried only to fail. The crown had assumed the character of creditor; but it had found the debtors no less impracticable than when the demand was made by the clergyman. It had been able to collect only 12,000*l.* at an expense of 26,000*l.*; combined and violent resistance had continued; and government had been compelled, in the preceding session, to purchase a truce by granting another million. That truce would expire on the 1st of November, when the clergy must either return to the old system, or again become a burthen on the resources of the country. Military force and civil process had proved equally ineffectual. Between 1825 and 1832, the military force maintained in Ireland had varied from 19,000 to 23,000, being as nearly as possible the same amount of force that was required for the whole of our Indian empire, and within one-third of the force required to occupy all our colonies in the other three quarters of the world. This army had cost the country, during the last year, upwards of a million of money, besides the annually increasing expense of a police force, amounting to nearly 300,000*l.* Civil process had not been more effectual, though it appeared, from a return ordered in 1822, that during the five preceding years, 17,981 tithe causes had been heard annually in ecclesiastical courts, or at quarter sessions before the assistant barristers. Large sums, likewise, had been granted to schools and institutions which had Protestant proselytism for their main object; but the religion of the people of Ireland seemed to be rendered

dearer to them, not more by every attempt to shake its hold on their affections, than by the flagrant abuses of the established church itself, of which none was more striking than the disproportion between its wealth and numbers, and the small fraction of the population which profited by this oppression of the whole.

By the census of 1831, continued Mr. Ward, the population of Ireland was 7,767,404; it might now be taken, in round numbers, at eight millions. Not one-fourteenth of that number adhered to the communion of the established church. He had returns from the different counties, taken, he said, without the slightest regard to party, furnished by persons of whom he had endeavoured to ascertain that their accuracy might be relied on. These returns comprehended 70 parishes, which comprised a population of 329,000 Catholics, and only 14,057 Protestants. The average of Protestants to Catholics in all the parishes was 1 to 23; in some it was 1 to 40; in others, 1 to 95, and even 1 to 134. He therefore felt justified in assuming, that Episcopal Protestants did not exceed one-fourteenth of the whole population; and consequently the magnificent establishment of the Irish church was kept up to supply the religious wants of only 600,000 persons. It was kept up, too, at an expense of nearly 1,000,000*l.*; for the Chancellor of the Exchequer, when he stated all the ecclesiastical revenue last session at about 600,000*l.*, should have added more than one-half on account of the glebe lands. The true estimate stood thus:

Bishops' Lands, number of acres, 669,247					
Rent	...	...	...	...	£. 45,258
Fines on Renewals	...	...	...	...	75,422
					<hr/> £.120,680
Ecclesiastical Corporations	...	...	...	...	£. 23,606
					<hr/>
Total number of Benefices	...	...	...	1,456	Income.
Those from which returns have been received	...	...	...	1,184	£.526,136
Add 1-4th for 272 returns, not received	...	...	...	...	131,534
					<hr/>
Total	...	...	...	...	£.657,670
					Acres.
Glebes attached to Benefices, and not included in returns					85,000
At 30s.	...	...	...	...	£.135,000
Total.					
Bishops' Lands	...	...	...	...	120,680
Deans and Chapters	...	...	...	...	23,606
Glebes	...	...	...	...	135,500
Returns of Tithes	...	...	...	...	657,670
					<hr/>
					£.937,456
Total number of Benefices, 1,456					
Of which 74 range from £.800 to £.1,000					
75 from 1,000 to 1,500					
17 from 1,500 to 2,000					
10 from 2,000 to 2,800					

which was the *maximum*. There were 407 livings varying from 400*l.* to 800*l.* per annum; and 386 livings exceeding 200*l.*, which was the *maximum* of remuneration amongst the Presbyterians of Munster. No wonder that non-residence should exist where there were so many men and so little work. In 1819, a return had been made of non-residents, from which it appeared that there were, in 1814, 664 residents, 543 non-residents; in 1817, 665 residents, 544 non-residents; in 1819, 758 residents, and 531 non-residents. There were non-residents by exemption; non-residents by dispensation, faculty, and license; non-residents without dispensation, faculty, or license; and miscel-

laneous non-residents. With regard to the resident clergy, some of them did the duty for the most trifling remuneration, in some cases so low as 18*l.* a-year; but, taking the whole of the residents as averaging 70*l.* a-year each, what sort of feeling was it calculated to create in Ireland, when men saw the whole actual work of that wealthy church done for comparatively so small a sum? There was no better reason for having divines without congregations, than for having boroughs returning members who had no constituents. He did not mean, however, to abolish the establishment altogether; what he wished was, to do away with the glaring disparity between the scales of duties and compensation; he

would not give 800*l.* or 1,000*l.* a-year to the rector of a parish containing only ten or twelve Protestants, and even these forming, as in many cases they did, merely the family of the rector or vicar, brought into the parish for that very purpose. In cases where only the remnant of a Protestant flock existed, provision might be made for a curate, without going to the expense of a rector. The income of a Presbyterian clergyman in Dublin, Armagh, Newry, Belfast, and the adjoining districts, varied from 250*l.* to 500*l.* a-year, and averaged throughout the country 160*l.* The government allowance was divided into three classes, allotting to one 100*l.*, to another 75*l.*, and to another 55*l.* a-year. In the established church of Scotland, the *minimum* payment was 150*l.*, but generally, in the country districts, 180*l.*, and 200*l.* a-year. Some few were 250*l.*, but none exceeded 300*l.*: yet where were the duties of the pastor more faithfully performed, or the ministers of religion more loved and respected, than in Scotland? He thought, therefore, he should not deal illiberally with episcopacy in proposing, as a fit scale of remuneration, a provision as ample as that which was received by the Presbyterian clergyman in the north of Ireland, and the whole Protestant clergy of Scotland. He intended to accomplish this object by means of commissioners, giving them the power of assigning certain salaries in particular cases, under the control of parliament, which was to fix the cases, and the amount of salaries to be given. A strong proof of the facility with which this could be carried into execution, might be found in France, where provision was made in the budget of every year for all

ministers, without distinction of religions. All that was required was, a notification to the minister of the interior, under certain forms, on which he assigned a certain sum out of the taxes. Under existing circumstances, he thought it might be a very fair question whether, in the case of Ireland, it would not be wise to apply some portion of the church income to the decent support of the ministers of the various religions prevailing in that country. Mr. Ward admitted, however, that he could not ask the house to accede to this, or to any other plan, if parliament did not possess the right of laying hands on the property of the church; but that right he maintained to be unquestionable. An argument against it had been drawn from the tenth article of the treaty of union, but the true inference went in an opposite direction. That article provided "that the doctrine, worship, discipline, and government of the said United church," not a word about 'temporalities,' "shall be, and shall remain, in full force for ever, as the same are now established for the church of England." In 1825, indeed, no less a statesman than Mr. Canning had said, that the argument of the union was conclusive, not only against reduction but inquiry; and the same line of argument had been followed by sir Robert Peel. But, without indulging in casuistry, or special pleading, he thought that, coupling the declaration of Mr. Pitt, in his speech before the union, with the omission of the word 'temporalities' in the act of union, he had a right to assume that it was not the intention of the government of that day to include the temporalities of the Irish Church.

though such had been their intention, they had no power to bind future generations, or tie up the representatives of the two kingdoms in parliament assembled from modifying the Act of Union in a manner as their mutual interests might require. It could be no more sacred than the union of Scotland; yet some of the reasons of the latter had been lost. In truth no question of principle any longer existed; for what had been conceded by the 1791 reform bill of last session, was now dealt with the bishops properly—and he would do no more—and abolished half the vestry and imposed an income-tax on the existing incumbents—which was going farther than he had intended to go. Our ancestors had no hesitation in transferring the property of the Catholic to the support of the reformed church. Why, therefore, what the state had given, the state could resume, making it necessary to change the distribution of the funds which had been bestowed. They had been misled by prophecies of the mischievous effects which any interference with ecclesiastical property in Ireland would have on individual property arising from consolidated estates. It had been asked, after prescription of 300 years can reserve the church, how can prescription of 150 years preserve estates so acquired? The questions stood on a very different footing. When you ceased to remunerate a clergyman who had no flock, you only withdrew a support when the business for which it was given ceased to be performed; but in regard to confiscated estates, former acts of settlement could not be touched without destroying the title of almost every

individual who had acquired property since the relaxation of the penal laws; and thus the interests of the present generation might be fairly set against the dormant claims of centuries. One of the most malignant qualities of confiscation was, that it was irrevocable. Persons purchased the confiscated property *bona fide*; it descended to innocent children; it became the subject of security to creditors; so that all the interests of the nation were concerned in its stability. This he believed was the feeling at present prevalent in Ireland, and it would only be strengthened by that great act of policy and justice which he now proposed. He therefore moved the following resolution:—"Resolved, that the Protestant episcopal establishment in Ireland exceeds the spiritual wants of the Protestant population; and that, it being the right of the state to regulate the distribution of church property in such manner as parliament may determine, it is the opinion of this house, that the temporal possessions of the church of Ireland, as now established by law, ought to be reduced."

The motion having been seconded by Mr. Grote, one of the members for the city of London, who said the house had nothing to do with details, as the means of relief must be suggested from a higher quarter when the principle was once recognized, Lord Althorp rose to request the house to adjourn in consequence of circumstances which had just come to his knowledge since he entered. He could not at present state the nature of these circumstances; but he trusted that the house would believe that he would not make such a proposition without being

convinced of its propriety. The house and the debate were accordingly adjourned to the 2nd of June.

The circumstances, to which lord Althorp alluded, and which had been communicated to him only while the discussion was going on, was the resignation of those ministers who would not consent to the principle which Mr. Ward's motion involved. The majority of the cabinet had been greatly perplexed how to deal with that motion. They would not meet it with a direct negative, partly because they dreaded becoming unpopular with that spirit of change and encroachment of which they were themselves the parents, and which they had nurtured by their yielding policy; partly because they had no great dislike to it in itself, and had both uttered sentiments, and propounded measures, in which the same character could be traced, though not so openly and substantively as in the proposition of the member for St. Alban's. To put it aside by the previous question would be assuming a position still more difficult to defend than a direct negative, for that is a position the occupant of which necessarily ties himself up from using, what may be the better part of his means of resistance. To accede to the motion, on the other hand, was to cut off from the cabinet a very important section of its respectability, and of its oratorical and business talent. A middle course, therefore, was adopted—the appointment of a commission to inquire into the state of the Irish church, and report on the relation which the supply of and demand for Protestant spiritual food, bore to each other, as well as on the cost of its production. It was

hoped that this expedient would either induce the mover to withdraw the motion, or enable ministers to carry the previous question—not as a mere formal manner of getting rid of a disagreeable topic,—but on the substantial ground that government was itself occupied with an inquiry into this very subject. Such a commission, however, necessarily implied that, if facts turned out in a particular way, there would be no longer any opposition to the application of Mr. Ward's principles. The consequence was, that Mr. Stanley the colonial secretary, and sir James Graham the first lord of the admiralty resigned. Their example was immediately followed by the duke of Richmond, postmaster general, and the earl of Ripon, lord privy seal.

Lord Althorp afterwards stated, that he was not aware of the fact of these resignations till after he had entered the house on the 27th; and the adjournment probably arose from its being doubtful whether the retirement of these ministers, and more especially of Mr. Stanley, whose place in the house of Commons could not be supplied, would not bring along with it the dissolution of the ministry. Lord Ebrington got up an address to earl Grey, signed by a great number of the ministerial adherents in the lower house, entreating his lordship to retain his place, and expressing their unaltered confidence in him as the only minister on whom the country could safely repose. Earl Grey, in his answer, announced his intention of making every personal sacrifice that might be required of him in support of the principles of the administration, but he was forced to admit the embarrassment

and mischief produced by the reckless desire of innovation. "In pursuing," said he, "a course of salutary improvement, I feel it indispensable that we shall be allowed to proceed with deliberation and caution; and above all, that we should not be urged *by a constant and active pressure from without* to the adoption of any measures, the necessity of which has not been fully proved, and which are not strictly regulated by a careful attention to the settled institutions of the country, both in church and state. On no other principle can this, or any other administration, be conducted with advantage or safety."

The vacant offices were soon filled up. The marquis of Conyngham became post-master general in place of the duke of Richmond; the privy seal, which had been held by the earl of Ripon, was given to the earl of Carlisle; sir James Graham was succeeded as first lord of the Admiralty by lord Auckland, and Mr. Stanley was succeeded at the colonial office by Mr. Spring Rice, who likewise carried his re-election for Cambridge by a majority of twenty-five votes over sir Edward Sugden. Mr. Abercromby and Mr. Cutlar Fergusson, who had not previously held office, were appointed, the former master of the mint, the latter judge advocate; Mr. R. Grant was sent to India as governor of Bombay; and Mr. Poulett Thomson became president, instead of vice-president, of the board of trade.

While the ministry was thus shaken by internal dissensions, publicity was given to a declaration of the king which seemed to announce that their royal master would regard their designs against the church with no more favourable eye than did the minority among

themselves. On the 28th of May, the day which is observed as the anniversary of his majesty's birth, the Irish bishops, headed by the archbishop of Armagh, presented to the king an address against hasty innovations in the church, to which were said to be appended upwards of 1400 clerical names, including seventeen out of the twenty prelates of Ireland. After expressing their conscientious belief in the purity and christian authority of the doctrine, the liturgy, and government of the united church of England and Ireland, they deprecated the introduction of undefined changes and experiments in a church so pure in doctrine and apostolical information, whose religious services were endeared by long usage to the devotional feelings of its members, and whose polity harmonized with the institutions of the state, to which it had ever proved itself a faithful and judicious ally. They professed their readiness to co-operate in removing any real abuses which might be found to exist; but they trusted that no alteration would be made in the discipline and services of the church, except with the sanction and by the recommendation of its spiritual guardians. They deemed it reasonable that such alterations as should at any time be made should be shown to be, in the words of the preface to the book of Common Prayer "necessary and expedient;" and they did not apprehend this to have been done in respect of the changes which various persons, widely differing among themselves, were understood to have in contemplation. To this address his majesty did not return the common formal answer; but, after a short conversation with the prelates, he spoke to them thus, "I

now remember you have a right to require of me to be resolute in defence of the church. I have been, by the circumstances of my life, and by conviction, led to support toleration to the utmost extent of which it is justly capable; but toleration must not be suffered to go into licentiousness—it has its bounds, which it is my duty, and which I am resolved, to maintain. I am, from the deepest conviction, attached to the pure Protestant faith which this church, of which I am the temporal head, is the human means of diffusing and preserving in this land. I cannot forget what was the course of events that placed my family on the throne which I now fill. These events were consummated in a revolution which was rendered necessary, and was effected, not, as has sometimes been most erroneously stated, merely for the sake of the temporal liberties of the people, but for the preservation of their religion. It was for the defence of the religion of the country that the settlement of the crown was made which has placed me in the situation which I now fill; and that religion, and the church of England and Ireland, the prelates of which are now before me, it is my fixed purpose, determination, and resolution to maintain. The present bishops, I am quite satisfied (and I am rejoiced to hear, from them and from all, the same of the clergy in general under their governance), have never been excelled at any period of the history of our church, by any of their predecessors, in learning, piety, or zeal in the discharge of their high duties. If there are any of the inferior arrangements in the discipline of the church, which, however, I greatly doubt,

that require amendment, I have no distrust of the readiness and ability of the prelates now before me to correct such things; and to you, I trust, they will be left to correct, with your authority unimpaired and unshackled. I trust it will not be supposed that I am speaking to you a speech which I have got by heart; no, I am declaring to you my real and genuine sentiments. I have almost completed my 69th year, and though blessed by God with a very rare measure of health, not having known what sickness is for some years, yet I do not blind myself to the plain and evident truth, that increase of years must tell largely upon me when sickness shall come. I cannot, therefore, expect that I shall be very long in this world. It is under this impression that I tell you, that while I know that the law of the land considers it impossible that I should do wrong,—that, while I know there is no earthly power which can call me to account—this only makes me the more deeply sensible of the responsibility under which I stand to that Almighty Being before whom we must all one day appear. When that day shall come, you will know whether I am sincere in the declaration which I now make, of firm attachment to the church, and resolution to maintain it. I have spoken more strongly than usual, because of unhappy circumstances that have forced themselves upon the observation of all. The threats of those, who are enemies of the church, make it the more necessary for those who feel their duty to that church to speak out. The words which you hear from me are, indeed, spoken by my mouth, but they flow from my heart.”

When the house met again on the 2nd of June, lord Althorp stated that ministers had been perfectly aware that the members of the government, who had now resigned, differed from their colleagues in opinion as to the principles on which church property should be dealt with. The existence of this difference, however, had not previously been considered a sufficient reason for breaking up the ministry, because they were agreed on all other points, and there was no necessity for coming to a decision on this question, until the property of the Irish church had been applied to such purposes as were already known and desirable. But the motion now before the house had compelled them to take up the question; and the resigning ministers, with the best possible feeling, had relieved the cabinet from the difficulty in which it was placed. He now informed the house, that his majesty had appointed a commission of inquiry into the state of church property and church affairs generally in Ireland. It was to be a lay commission. It was to visit the different parishes and districts throughout Ireland; to inquire on the spot into the number of Protestants in each parish; whether that number was stationary, increasing, or declining; whether it was a benefice, or if a parish forming part of a union; the distance, and number of churches and chapels; the situation of the clergyman, how paid, and whether resident or non-resident; the times which divine service was or had been performed; the number of Protestants attending such service, and whether that attendance was stationary, on the increase, or declining. Like inquiries were to

be made in each parish and district with respect to Roman Catholics and to Dissenters of all descriptions; also as to the number of schools in each parish; the different religious persuasions of those who attended them; how they were supported, and whether the numbers of the persons attending them were stationary, on the decline, or increasing, distinguishing the numbers and different religions in each case. The commissioners were to make the minutest inquiries in all parishes touching these other matters connected with or bearing upon the Irish church or church property, particularly pointing out the proportion of Protestants, Catholics, and Dissenters of all denominations in the different parishes and districts throughout the country, and report thereupon.* No ministers

* The commissioners were, the lord chancellor, the home secretary, the secretary for Ireland, and Thomas D'Oyley, serjeant-at-law; Thomas N. Lister, John Wrottesley, George Barrett Lennard, Edward Carleton Tufnell, Daniel Maude, George Cornwall Lewis, William Henry Curran, William Tighe Hamilton, Acheson Lyle, and William Newport, Esqrs., barristers-at-law. Some others were afterwards added. It directed them, "or, any two or more" of them "to visit every parish in that part of our said United Kingdom called Ireland, and to ascertain on the spot, by the best evidence which you can procure there or elsewhere, the number of members of, or persons in communion with, the united church of England and Ireland in each benefice or parish, distinguishing in the cases of such benefices as comprise more than one parish the number belonging to each parish separately, and to the union collectively, and also to state the distances of the parishes in each union from each other respectively; to state the number and rank of the ministers belonging to or officiating within each benefice, whether rector, vicar, or curate, and whether resident or non-resident, and whether there is a church

would have advised the crown to adopt such a course, without being not only prepared but determined

or glebe-house thereon; to state the periods at which divine service is performed in each parish-church or chapel, and the average number of persons usually attending the service in each, and to state generally whether those numbers have been for the last five years increasing, stationary, or diminishing; to ascertain the number of the several other places of worship belonging to Roman Catholics or Presbyterians, and other Protestant Dissenters, and the number of ministers officiating in each, the proportion of the population of each parish belonging to each of such persuasions respectively, the periods at which divine service is performed in each of their chapels, and the average number of persons usually attending the service in each, and to state generally whether those numbers have been for the last five years increasing, stationary, or diminishing; to ascertain the state of each parish, with reference to the means of education, the number and description of schools, the kind of instruction afforded therein, the average attendance at each, and the sources from which they are supported, and to state generally whether the numbers attending the same have for the last five years been increasing, stationary, or diminishing; to inquire generally whether adequate provision is now made for the religious instruction and for the general education of the people of Ireland; and to report such other circumstances connected with the moral and political relations of the church establishment and the religious institutions of other denominations dissenting from the established church as may bring clearly into view their bearings on the general condition of the people of that part of our said United Kingdom called Ireland: and for the better discovery of the truth in the premises, we do by these presents give and grant to you, or any two or more of you, full power and authority to call before you, or any two or more of you, such persons as you shall judge necessary, by whom you may be better informed of the truth in the premises, and to inquire of the premises, and every part thereof, by all other lawful ways and means whatsoever; and we do hereby give and

to act upon that report when it was made, as occasion and circumstances should point out, and as

grant unto you, or any two or more of you, full power and authority, when the same shall appear to be requisite, to administer an oath or oaths to any person or persons whatsoever to be examined before you, or any two or more of you, touching or concerning the premises: and we do also give and grant unto you, or any two or more of you, full power and authority to cause all and singular the ministers and others attached to or connected with the said parishes or benefices, having in their custody any rolls, records, orders, books, papers, or other writings relating thereto, to bring and produce the same upon oath before you or any two or more of you; and our further will and pleasure is, that you or any two or more of you, upon due examination of the premises, do and shall, as often as you or any two or more of you shall finish inquiring of any parish, report to us, under your hands and seals respectively, what you shall find touching or concerning the premises upon such inquiry as aforesaid; and we further will and command, and by these presents ordain, that this our commission shall continue in full force and virtue, and that your commissioners, or any two or more of you, shall and may from time to time proceed in the execution thereof, and of every matter and thing therein contained, although the same be not continued from time to time by adjournment; and we do hereby direct and appoint that you, or any two or more of you, may have liberty to report to us your several proceedings from time to time as the same shall be respectively completed and perfected. And we hereby command all and singular our justices of the peace, sheriffs, mayors, bailiffs, constables, officers, ministers, and all others our loving subjects whatsoever, as well within liberties as without, that they be assistant to you and each of you in the execution of these presents." The commission appointed a secretary, and was dated the 4th of June, two days after lord Althorp made the statement in the text. Several of the commissioners were barristers, without experience or standing at the bar, and whose only qualifications were, that they were without employment.

the information before them would warrant them in doing. The motion of the member for St. Alban's went to pledge the house that the amount of church property in Ireland was beyond the wants of that establishment, and next, that parliament had a right to regulate the distribution of church property, and to determine upon the reduction of the Irish church revenues, as now established by law. He was of opinion that the house ought not to attempt legislating upon a matter of such grave and serious importance without the most patient and minute inquiry. He trusted, therefore, that Mr. Ward, satisfied with what government had done, would withdraw his motion. Mr. Ward, however, declined to withdraw it. He must press, he said, for a recognition of the principle ; because, from what was passing around him, he was afraid that the present ministers would not continue long in office. If they were removed the appointment of the commission would, he thought, be inoperative, and, to say the least of it, much time would be lost. Lord Althorp then moved as an amendment the previous question, principally on the ground that, of all questions, this was the one which most required much previous inquiry and detailed information. He never had swerved from the principle that the established church ought to be maintained ; and it was because he thought the result of the inquiry would be favourable to its continued maintenance, that he had joined in recommending the commission. He was convinced that to apply its surplus revenues to moral and religious education would tend to

advance the interests both of the establishment and of Protestantism generally. But when his majesty had issued a commission, it was not fitting that the house should come to any decision ; nor, in such circumstances, could it be necessary or advantageous to affirm an abstract proposition, which, during the present session at least, could not lead to any practical result. He did not see any utility, before members were in possession of the necessary information, in asserting a right, which, if the house was at all constituted as at present, he was confident it would exercise whenever a case for its interference was made out, and no assertion of which now could be at all binding on a future parliament, if the house should then be differently constituted. The government, by issuing the commission, had shown their own dispositions, and he left the question to the house as one of confidence in ministers.

Mr. Hume, colonel Davies, and colonel Evans, supported the original resolution, declaring that the shuffling mode of proceeding adopted by government in regard to this very question rendered it impossible to repose confidence in ministers, especially after their treatment of the 147th clause of the Irish church bill of last session—a clause which distinctly recognized the principle at present contended for, but which, in deference to the members of the cabinet who had now retired, was afterwards struck out by the very same majority which had originally voted it in. The commission, might no doubt, be useful ; it might facilitate the labours of parliament by collecting a mass of information ; but it did not supersede the neces

sity of affirming the principle of the right of parliament to deal with church property. In support of his general argument, that the Irish establishment ought to be reduced, Mr. Hume quoted several passages from a letter written by the marquis of Anglesea to earl Grey, in which the expediency of an immediate reform in the church was strongly insisted on; but he did not state how he had become acquainted with, or how he thought himself justified in publicly using, what must have been a confidential communication from a lord-lieutenant of Ireland to the government under which he acted.

Lord John Russell replied to those who accused government of a sacrifice of principle on this occasion, that the charge was contradicted by the very fact of ministers having allowed Mr. Stanley and his friends to resign; for they never would have parted from such colleagues without adopting the principle, the assertion of which had caused these colleagues to retire. The principle that, if the property of the church of Ireland should be found to be more than was sufficient for the spiritual wants of the Protestant inhabitants of Ireland, Parliament had the right to deal with the surplus, was in effect involved in the appointment of the commission as much as in the motion; and if it turned out that it was not more than sufficient, what room could there be for legislating at all?—for surely no man would go so far as to say that, whether this property was or was not necessary for the Protestant population, it should nevertheless be taken away. The mover himself did not expect that his motion

would have any practical effect in the present session. Where then lay the difference, except in declaring an abstraction, which possibly might never come to be applicable to anything? The resolution said “that the Protestant episcopal establishment in Ireland exceeds the spiritual wants of the Protestant population.” That certainly would be asserting a position which ought to rest on some facts for its proof, and how could such proof be obtained better than by inquiry? The motion next asserted the “right of the state to regulate the distribution of Church property in such manner as parliament may determine.” Now, would it not be absurd to appoint a commission of inquiry, unless they were ready to deal with the surplus of church property beyond the wants of the Protestant population, if any such should be found? The appointment of the commission affirmed that part of the motion. As to the remaining part of the motion, “that the temporal possessions of the church of Ireland, as now established by law, ought to be reduced,” he would put it to the house, whether such a proposition ought not to rest on some facts? His own individual opinion was, that the funds of the Protestant church were not properly applied, as far as related to the religious education of the people of that country, and therefore that such revenues might be safely reduced with the view to improving the means of education; but this opinion ought to be confirmed by inquiry before it could be acted upon; for it would be contrary to all parliamentary practice to vote a resolution first, and inquire into it afterwards. If, indeed, the

He believed that the previous question was now moved merely for purposes of evasion—that the commission had not been issued *bonâ fide*,—that its report, if it should report that the church property in Ireland was more than adequate to the spiritual wants of the Protestant population of that country, was not intended to be acted upon by the government—then, of course, they would vote for the original motion; but if they believed that ministers, should the result of the inquiry warrant it, were prepared to act on the principle of that hon. member's resolutions, then, he thought, they were bound, assuming that they believed ministers to be men of honour and character, to support their amendment.

Mr. Stanley, who was loudly called for, said, that deeply as he regretted the necessity which compelled him to separate from colleagues with whom he had agreed in all the great principles of our foreign and domestic policy, things had come to that point at which no other alternative was left to him as a man of honour and feeling. He and his colleagues had differed as to certain points; and the time had arrived, when that difference was forced upon them by circumstances over which the cabinet had no control. The motion and the amendment, as explained by the commentary of Lord John Russell, involved the same principle. That principle was, that the house had a right to deal with the property of the Protestant church for other than Protestant religious purposes; that a clergyman, even where his living was not left dependent on the numbers who might happen to reside in his parish, was to be

degraded by being made a stipendiary of the state. To such principle he could never consent. He held the principle of the church establishment to be this—that we should furnish to every member of that church, whether residing in a thinly-peopled district or in one more densely inhabited, the means of religious instruction, which we should preserve to them without fee. He was not willing to see the time come in which the ministers of the crown, in moving the estimates for the support of the clergy, should have to congratulate the house that the diminution of Protestantism in Ireland since the last assembling of Parliament had enabled them to take off the sum of £,000*l.* from the church estimates for the preceding year. To act on such a principle would be destructive of the utility and permanence of the church, subversive of the reverence hitherto paid to its ministers, and in some parts of Ireland, would lead to the taking fatal steps to diminish the number of Protestants in order to justify a diminution of the grant to the Protestant clergy. Did the inhabitants of Ireland require an additional incitement to violence by being publicly told by authority, "diminish the number of Protestants in your parishes, for by so doing you will diminish the burthens which press most heavily upon you." The doctrine was scarcely less pregnant with danger to England, than to Ireland. If a minister has done away with a Protestant living in Ireland because its incumbent had a diminished flock, on what ground could he here oppose a Dissenter, of whatever denomination—showing by figures which could not be contradicted, that in this and that

[E]

parish the Protestant congregation belonging to the established church was very small, and ought not to be an incumbrance on the finances of the state? And where was this novel and dangerous doctrine to stop? If it was right to take away the Protestant minister from a parish which contained only ten Protestants of the established church, had they not the same right where there were only fifty or only an hundred Protestants of the same persuasion? Why not rise to any proportion in which the Protestants did not form an absolute majority of the parishioners? If this doctrine of proportion was once sanctioned—if it was once admitted that the religion of the majority in each parish was to be considered the religion of the state, and to be supported by the state, then this country was no longer a Protestant state. “I ask the house and the country at once,” continued Mr. Stanley, “are you prepared to say that it is an indifferent point whether you support a Protestant establishment or not? Up to that point I contend that you must go. If you leave open the question of abolishing the church establishment, and begin to tamper with the church property, you must come at last to this conclusion—that all religions ought to be placed on the same footing. Now, I tell the house, boldly and distinctly, that the people of England are not ripe for that. And when I say that the people of England are not ripe for that, let me call upon you to pause before you assent to a resolution which you cannot, which you ought not, which the people of England will not let you, carry into effect. I did not think that I should ever

live to hear a minister of the crown propose such a resolution; I do not think that I shall yet live to see a legislature which will pass it; and I am not certain that I know the sovereign who will give his assent to it even if it be passed. I have honestly and conscientiously gone the full length to which I am prepared to go in reforming the abuses of the church. I say the abuses of the church, for I admit that there are questions regarding pluralities—regarding non-residence—regarding the internal discipline of the church—regarding its purification and amendment—regarding the increased respectability of its ministers—and regarding the better distribution of its revenues for church purposes—to which we are bound to give immediate attention; but the appropriation of the property of the church to any other but church purposes involves principles to which I for one can never give my assent.” He dissented so entirely from the resolution that, if he were to follow his own inclination, and the forms of the house allowed him, he would meet it with a direct negative. The amendment again was coupled with conditions which rendered it almost more unpalatable to him than the original motion; for the commission, which had been issued since he tendered his resignation, likewise involved a principle which, in and out of office, he had opposed—a principle that tended to the destruction of the Protestant church, and by which the maintenance of a Protestant clergyman in any parish might be made to depend on the precarious and fluctuating test of the numbers resident within it. Anxious, however, while declaring

his firm adherence to the principles on which he had taken office, and for which he had quitted it, not to draw down upon himself and those whom this occasion had acted with him the responsibility of endangering the passing of the amendment—desirous of not seeing the proposed resolution carried into effect, and confident that it could not be carried into effect without great danger to both countries, he was compelled, under all the circumstances of the case, to agree to the previous question.

Mr. Spring Rice, the contemplated, and within a few days afterwards the actual, successor of Mr. Stanley in the cabinet, expressed his surprise that the latter gentleman should have objected so strongly to the doctrine of numbers, while lord Althorp had not laid down the doctrine of numbers nor any thing like it; but Mr. Spring Rice did not explain what other object could be in view, when the commissioners were directed to inquire into the number of Protestants of the established church, Protestant Dissenters, and Catholics, and whether they had been increasing or diminishing, or continuing stationary. He would never consent, he said, to any measure calculated to endanger the Protestant church establishment; but if it were proved to his satisfaction that the wealth now enjoyed by the Protestant church in Ireland was more than adequate for the purposes to which it was originally devoted—if he saw in its possession of that wealth not a principle of safety, but a principle of danger, then he would consent to consider the question—how that excess of wealth could be best disposed of, not only for the sake of the Protestant church, but

also for that of the other interests of the nation. Mr. Stanley's doctrine, again, was this, that, be the revenues of the church of Ireland ever so great—be they the source of incumbrance or even of mischief to the church of Ireland—still, by reason of circumstances extrinsic to that church, you are bound to continue for ever that which by the hypothesis is an incumbrance and a mischief, and to withhold that remedy which by the same hypothesis was most beneficial. Neither did it follow, that because a particular step was taken in regard to the church of Ireland, a similar proceeding must therefore be adopted in the church of England. The cases of the two churches were altogether dissimilar. What became of the analogy in the instance of the Irish church bill of last session. That Bill had abolished ten bishoprics in Ireland; but was the house therefore prepared to abolish a single bishopric in England? If ever danger should be-tide the church of England, it would arise from the use of this argument—that you cannot apply a remedy to the abuses of the church of Ireland without leading to the application of a similar measure to the abuses of the church of England.

Of the Irish members, Mr. Lambert, Mr. O'Connell, and Mr. Dennis Browne, strenuously supported the original motion. They insisted that the very opposition of ministers showed that, even among those who remained in office, there was still difference of opinion. If they were agreed on the principle, why not say so boldly, as those who opposed it had boldly done. Why not confirm it by a vote of the house, and then issu

their commission to collect the information by which it would have to be applied?—Mr. O'Connell maintained that no commission was necessary to ascertain the fact, that the dominant religion in Ireland was that of a small minority. Unless the principle were first established, the government commission would be neither more nor less than a rambling proclamation to array the Protestants and Catholics in every parish in Ireland against each other. It would excite party processions, irritating distinctions, and meetings. Then would come the daily riot, the evening collision, and the midnight murder. It would be disseminating in Ireland an additional motive to excitement—another cause of dissension. They had tried the principle of pure Protestantism in Ireland for 200 years; the experiment had failed; let it be abandoned. It was not by calling Ireland a Protestant country that it could be rendered so. It was still Catholic; and still went on the wretched absurdity and mischief created by the dominant church. The law gave the Protestants a superiority in that country, and because they possessed a legal superiority, they were induced to imagine that they also possessed a physical and moral superiority. Was this fallacious idea to be encouraged? Was the gross injustice to be committed of setting the people of Ireland against each other for the maintenance of the principle of pure Protestantism? Government and the legislature were arrived at a point where they might do much good by proceeding boldly and actively; but the method now proposed to be adopted was a mere mockery, and could not be at-

tended with any successful result. —Mr. Browne declared the real question to be, whether, where there were seven millions of people having the same religion, that religion should be endowed or not. The people of Ireland never would be loyal—they must always remain in a state of disaffection,—until the Catholic religion was established; and unless ministers would consent to endow the Catholic clergy, he must oppose the previous question. He would vote for it, however, if government would state, that they were prepared to support the Catholic clergy, not as conferring a boon, but as recognizing a right. He thought that half the revenues of the Irish church ought to be appropriated to the Catholic priesthood.

Mr. O'Reilly, again, himself a Catholic, regretted, that ministers had not met the motion with a direct negative, which he would have cordially supported. Though he regarded the appropriation of the revenues of the Romish church at the time of the Reformation as a most monstrous robbery, yet he nevertheless did not desire that such a precedent should be followed in these days. He denied and disavowed the doctrines which had been laid down by Mr. O'Connell as being the doctrines entertained by the majority of the Roman Catholic population of Ireland. On the contrary, he asserted that the Roman Catholics of Ireland felt bound to pay the contributions which the law demanded of them; and though they resisted the payment of tithes, it was not for conscience sake, but from the objections and dislike created solely by the mode in which the exactions were levied. Though the higher order

of that class of Christians were unwilling to pay tithes according to their present amount, they were perfectly willing and ready to acquiesce in such a commutation as the legislature in its judgment might fix. He did not wish to see a Protestant church establishment superseded by those who had evinced and manifestly entertained no respect for any established institution; and regarding, as he did, the Protestant established church as one of the best bulwarks of Christianity, he could not agree with those who thought that, as in America, every man had a right to set up a clergyman of his own particular creed. Under the existing institutions of this realm, the church to which he belonged had increased, not only in Ireland, but in every part of the realm; and regretting, as he did, that the present proposition had not been met with a decided negative by the chancellor of the exchequer, he must repeat, that should any ulterior measures be submitted which in any degree were calculated to transfer the revenues of the Protestant church to the endowment of the church of which he was a member, such measures would meet his most firm and strenuous opposition.

Sir Robert Peel, likewise, regretted that the motion had not been met by a direct negative; for the shape in which the question was now put rendered it almost impossible for him, and those who thought on this subject as he did, to adopt a course, which would be satisfactory to their own minds or intelligible to the country at large. He might no doubt absent himself, and give no vote on the amendment, as he was one of those who disapproved of the

issuing of the commission; but by doing so, he might be deprived of the opportunity of giving his vote on the main question. In voting for the previous question, however, he begged it to be understood that he by no means gave, what he might appear to give—his sanction to the appointment of the commission. On the contrary, he decidedly disapproved of it, and thought it fraught with infinite danger and innumerable difficulties. Government had objected to the motion that it contained an abstract principle; but the appointment of a commission of inquiry involved the very same abstract and general principle. If they should find a surplus revenue, ministers said they might appropriate it to purposes of a moral or religious nature. Why did they not *in limine* explain what they meant by “moral purposes?” Did they mean to say that it was their opinion, that they would have a right to provide, out of the property of the Protestant church in Ireland, for the support of the Catholic church in that country? If they meant moral instruction based upon the principles of the church of England, there was no one more ready to declare than he was, that if measures could be devised for increasing the religious instruction of the established church in Ireland, and for appropriating a portion of its revenues more efficiently towards that desirable purpose, they should have his cordial assent and support. But he must disclaim any right on their part to sanction the establishment of the Roman Catholic religion in Ireland, and to provide for its support out of the funds of the Protestant church in that

country. He called upon his majesty's ministers, to declare candidly and fairly what was the principle upon which they proceeded, for then the house would know what they were at. An inquiry was to be instituted in every parish throughout Ireland, and if the commissioners should find an excess of revenue, that excess was to be at the disposal of parliament. Now, the very term "excess" involved a principle with regard to which there might be much difference of opinion; for many might think there was no excess where others might think there was, and, at all events, many, amongst whom he would be found, might be of opinion that, if there even was an excess, it should still be devoted only to religious and ecclesiastical purposes. The commissioners would give no opinion at all upon the subject. After a long and protracted inquiry, they would lay the result of their labours before the house, and then it would be incumbent on the house to say whether there was any excess. Now, it appeared to him that that was a proposition which they were just as well qualified to affirm or to negative at the present moment as they could be two or three years hence.

Though the main question, on this occasion, regarded the maintenance of the established church in Ireland, and though the supporters of the motion, as well as many of those who supported the amendment, might sedulously conceal it, the house might be assured that if they applied the principle of the motion to the church of Ireland, they would soon be called on to apply it to the church of England. Mr. Spring Rice had laid it down, that if there should

be an excess in the property of the church of Ireland, so as to endanger its existence it was incumbent on the legislature to interfere as well for the general interests, as for the protection of that establishment. There could not be a more dangerous doctrine. Let them apply it to individual property, and see what would be the consequence. If they were to lay it down as a principle of legislation, that where the excess of property endangered property, it should be taken from under the control of the rightful possessor and appropriated to other purposes, what injustice would they not perpetrate? If property was not to rest upon prescription and the laws of the realm, let them know upon what new title it was to depend. It had been argued, too, that it did not follow that, because a measure of this description might be found necessary in the case of the church of Ireland, it would therefore be applied to the church of England: and the Irish church temporalities bill, which reduced the number of bishops in Ireland, the tithes commutation bill and other measures which had been passed with respect to the church of Ireland, and which had not been applied to the church of England, had been adduced as instances. Now, the great majority of those measures, if not the whole of them, were to be considered as measures of regulation. Had any of them involved a great leading principle, it would be applied also to England, if local circumstances and convenience called for it. For example, the Irish tithe commutation bill would no doubt have been applied to England, if local circumstances had required it. Though the

Irish church temporalities bill diminished the number of bishops, the revenues of the sees still continued to be appropriated to strictly ecclesiastical purposes. But the moment that a measure was passed with regard to the church of Ireland, the principle of which interested the Dissenters in England, they might see at once how soon a similar one was called for in this country. They passed a measure relieving the Catholics and Dissenters from the payment of church-rates in Ireland, and no sooner had they done so than they were immediately obliged to bring forward a similar measure for the relief of the Dissenters in this country. The ministers were forced to bring forward the measure in question, and yet it was opposed by many of those very Dissenters for whose relief it was intended. The fact was, that they could not possibly introduce any measure the principle of which was to extend relief to the Dissenters in Ireland, without being forced to apply a similar measure to this country. Again, it was now said, that the mere removal of civil disabilities from the Catholics of Ireland did not constitute civil equality—that it was a degradation and a forcing of conscience to be obliged to contribute to a church to which one did not belong. Was not this principle equally applicable to the English Dissenters, and would it not be equally fatal to the English church? Was it any degradation to an episcopalian in Scotland to contribute to the maintenance of the established church there? He could fancy an episcopalian Scottish nobleman, who had inherited large possessions in Scotland from his ancestors, and who found his property, and property that he

purchased, burdened for the support of the established church there—what would be thought of him, if, after receiving, on purchasing his lands, an equivalent for that burden, he should afterwards turn round and say, that he scrupled to contribute to the support of that church establishment, because he did not belong to it? But it was argued that, as they had taken this property from the Catholics at the time of the Reformation, the legislature must have an equal right to deal with it at the present period. There was no analogy between the two periods. At the time of the Reformation they were fully authorized to do so, because they had then reformed the Catholic religion by establishing in its stead the purity of the Protestant faith. In a political point of view, the establishment was the great bond of union between the two countries, and it was therefore the duty of the house to maintain the church inviolate in both countries. The motion, however, would alienate the minds of the Protestants who had reluctantly consented to the removal of the Roman Catholic disabilities on the strongest assurance that, by their removal, they would and did redress every grievance, and would restore political equality. It was too much now to tell these men, who saw the faithful ministers of the church to which they belonged robbed by every species of combination and resistance, that the revenues might be severed from the Protestant church, and be appropriated to the establishment of another faith against which they protested. To do this would be to give a shock to Protestant feeling in Ireland—would argue an indifference to all religion

—would involve not a question of truth, but of civil policy ; and such a course was calculated not only to shake the very foundations of other property, but also to sever the links which bound Ireland to this country, almost as much as if the legislature had assented to the repeal of the union. He was, therefore, prepared, if the forms of the house had allowed him, to give the motion a distinct and decided negative. But if he did so, it would be extremely unjust to imply that he was contented with the present condition of the established church in Ireland. Two years ago, when a committee was appointed on the subject, those who were connected with that committee could bear testimony that he admitted himself ready to consider any measures calculated to correct any abuses which prevailed in that establishment. He stated his opinion at that time,—an opinion which still remained the same,—that the state of the Protestant church of Ireland was such, that the time might come when they ought to consider whether or no measures might not be devised for appropriating a portion of the church property of Ireland, not to other objects, but so as to facilitate the propagation of divine truth, which was the great end and aim of that establishment. He was ready to assert that principle now—he was ready to abide by that opinion—he was ready to maintain that they should uphold the funds of the Irish church establishment solely for the purpose of diffusing those benefits for the propagation of which that establishment was founded ; and he was ready at the same time to give his decided opposition to any proposal which would go to appropriate these

funds to other and to secular purposes.

On the division, the amendment of ministers was carried by 396 to 120, a majority which, large as it was, would have been still greater, had not a considerable number of conservative members, unwilling to wear even the appearance of tampering with the question, left the house without voting at all.

On the 6th of June, the earl of Wicklow brought the same question before the lords, by moving an address to his majesty for a copy of the commission. That commission, his lordship said, was not the result of any motion in either house of parliament ; it had not been called for by any pending deliberations or proceedings of the legislature. He would like to know, if it were really true that a commission of this sort, which required considerable time and formality, had actually been signed and issued *bonâ fide* on the 2nd of June ? At all events, it was evident that it had been got up with extreme rapidity. It was strange, too, that it had been issued immediately after the king's declaration to the bishops ; and it was alarming, if the reasons assigned by ministers in another place were those by which his majesty had been induced to put his name to it. One of them had stated that those who had advised the issuing of such a commission were prepared to act on its report, whatever it might be ; and the leader of the other house had said, that he thought government was thus adopting the very best method of carrying into effect the principle of the resolution which had been proposed from another quarter, and which declared not only the com-

petency of the legislature to lay violent hands on the property of the church, but that the time for interference had now arrived. He trusted that earl Grey would gladly seize an opportunity of repelling the foul calumny which such sentiments must throw on the character and principles of the government, and that, though the dawn of his political career had risen amid the dissemination of French Jacobinical principles, he would not allow its setting to be marked by the downfall of the church of England. In regard to Ireland, of all the schemes that a wild and reckless administration could devise, in order most effectually to convulse that country, this commission was the most calculated to open afresh the wounds which the government had been endeavouring to close up, to encourage discord in every parish and hamlet, separating religious sects, and marking out the minority to the odium and ridicule of the predominant party. Ministers must now speak out. Their usual policy would not succeed. Silence would be damnable. Therefore he asked whether the cabinet was determined to advocate the principle, that it was legal to seize upon the property of the church, and apply it, under the name of religious and moral purposes, to purposes other than those of the church of England, or appropriate it to the religious purposes of the Roman Catholic population?

Earl Grey said, that he would not oppose the motion for a copy of the commission, but denied that he and his colleagues looked forward to anything that could justly be called spoliation of the church. They contemplated a

great alteration, but nothing more. He denied likewise that the commission was founded on the principle of seizing the property of the church; it had been issued with a view to the regulation, or to a different appropriation, of the church revenues. The rights of the present possessors he would hold sacred; but he must maintain, that the property of the church was a subject for the exercise of the discretion of parliament; and there were few persons who did not think that the state of the Irish church required the most careful attention. Sir Robert Peel had stated the principles on which he (earl Grey) had acceded to the commission, when he said, that "the time might come when they ought to consider whether or no measures might not be devised for appropriating a portion of the church property of Ireland, not to other objects, but to facilitate the propagation of divine truth, which was the great end and aim of the establishment." This was an acknowledgment that a different appropriation of revenue from that which now existed might be necessary and beneficial. If a considerable excess of revenue should remain beyond what was required to support the efficiency of the church, and those other purposes connected with the interests of true religion, he avowed the principle that the state had a right to deal with that surplus with a view to the exigencies of the state and the general interests of the country. There was no reason to fear, as seemed to be feared, that the issuing of this commission would become a precedent for a similar proceeding in respect to the church of England. The church of Ireland was placed in

circumstances so anomalous, that nothing corresponding to them could be found in the history of the world. The commission, therefore, had been issued for the purpose of laying before his majesty and parliament such a body of facts as would enable them to come to a clear and impartial decision. It was impossible to resist inquiry, considering the opinions entertained, not merely by violent men, who were ready to rush into any excess, but by the reflecting part of the community, and, above all, by the house of Commons. In the late decision in that house, the 396 who voted for the previous question, and the 120 who supported the original resolution, made together 516. Deducting from them 100 members as the number of those who, along with Mr. Stanley, denied the power of parliament, under any circumstances, and at any time, to divert the revenues of the church from their original purposes, there still remained a considerable majority of the whole house of Commons, viz. 416 members, decidedly in favour of a measure of this description. Would the safety of the church, then, have been secured by disregarding the expressed wishes of the house of Commons? If the house of Commons had been allowed to take the matter into its own hands, and to address the crown for an inquiry, ministers must have retired; and a new administration would probably have been formed, which might have advised an answer productive of fearful and dangerous consequences. The imputation that ministers intended to give the revenues of the established church to the Catholic church, was most unjust. That was a step which mi-

nisters were not prepared to take. Neither had the idea of a commission been hastily taken up. So far back as the month of January last, the lord-lieutenant of Ireland had recommended that such a commission should be issued; and if ministers were to be blamed for anything, it should rather be for having followed that recommendation too tardily than too hastily. Those who believed the commission to be founded in injustice and spoliation, and calculated to set Ireland in a flame, ought not to rest satisfied with a formal motion for a copy of it. They should propose a vote of censure on the ministers who advised it, or move an address to the crown either to dismiss them from office, or to revoke the commission.

The earl of Ripon bore testimony, that the cabinet, from which he had lately seceded, had conducted all measures involving changes in our institutions, in a spirit which had for its object to preserve and improve, and not to overturn and destroy. He was well aware, too, that, in these times, no administration could carry on public affairs, unless in unison with the spirit of the age; but still there were questions relating to the great institutions of the country, on which it unquestionably would not be safe to yield. The cry still was, that it was unsafe to rest. On that principle, they would rest on nothing, but would still go on to rest nowhere. Let them try then to rest here; if they did not, he knew not where the resting place would be. It was true that the proposal to appoint a commission had not been taken up suddenly; it had been deeply considered; he had felt

that, if it was issued, the question as to the appropriation of the revenues of the church to secular purposes was settled; and that was a proposition to which he could not assent. If an inquiry into the number of resident Protestants in a parish, as compared with the number of Catholics, meant anything, it must mean something tending directly to effect an alteration of the principle on which the church establishment was founded. The universality of the established church—its diffusion throughout the country—was its great principle, its very essence; and if they adopted the doctrine that the revenue of the church in a particular parish was to be regulated by the numbers of its Protestant population, they destroyed the principle on which alone the established church existed. If there was a surplus revenue, then to apply it to other purposes, but still to what were especially the purposes of the church, was safe and legitimate; but the principle of the proportion of numbers, instead of being calculated to tranquillize the people, for whose benefit these changes were said to be intended, gave to both parties an invitation to be divided. Protestant landlords might be induced to add to the numbers of their Protestant tenantry; and if so, what might not be expected from their opponents? Was the house so ignorant of the nature of Irish agitation, and the means and practices of Irish intimidation—not of things which only might be done, but of things which actually had been done? They were told, that no part of the revenues would be applied to the purposes of the Catholic church. Who could assure them of that? To whom

was the established church a grievance but to the Catholics—and would the Catholics be satisfied with what was proposed? There was not an apostle of agitation in any part of the country, who would not discover ten thousand reasons for making fresh demands. His lordship then adverted to the argument in defence of the church deduced from the union. That compact, he said, was of a peculiar kind, and made under peculiar circumstances. If the Protestant party in Ireland had been told that, at the expiration of a given, and not a long period, parliament would place the church of Ireland in a position of less security, they never would have consented to the treaty of union, unless they had been mad, knowing, as they could not but know, that, in doing so, they would be dooming themselves to inevitable destruction. In every discussion that had taken place on the Catholic claims, till their final triumph, the maintenance of the established church inviolate, had been laid down as a principal basis of that great act of concession. After having thus endeavoured to allay the fears, and laboured to disarm the force, of the Protestants, nothing but the most paramount necessity could justify the course now proposed. That necessity had not been proved to him to exist, and therefore he must withhold his consent.—The duke of Richmond, who had quitted the ministry along with the earl of Ripon, expressed similar opinions. One of his greatest objections, he said, to Catholic emancipation had always been, that it would increase the demands of the agitators of Ireland—would be only one step to the true object at

which they aimed viz. the displacing of the Protestant clergy, and the establishment of the Roman Catholic religion. They were now clamouring, that a more direct step towards the same object should be taken; and, whatever confidence he might have in the head of the present government, the appropriation of the revenues of the church to secular purposes appeared to him to be wrong in principle. If this doctrine were once applied, the church would not long stand where it now did. If they admitted to the Catholic agitators now, that the state had a right to appropriate church property to secular purposes, they would go farther, and it would end in the Catholic church becoming the established church of Ireland. He was prepared to go into the removal of abuses from the established church, whether of England or Ireland, but not into the alienation of its property; he would amend all defects which had been produced in the course of time, but his only object in doing so would be to extend the influence and usefulness of Protestantism.

The earl of Eldon, while regretting that age and infirmities prevented him from debating this question, said, he would stake whatever of professional reputation he might have earned on the accuracy of this opinion, that the state had not the right of appropriating the revenues of the church.—The earl of Winchilsea thought it vain for any man to deny, that the appointment of a commission for such purposes as had been stated was only a preliminary to the spoliation and ruin of the Irish church. Ministers themselves had been mainly in-

strumental in creating that “spirit of the age,” by the alleged necessity of yielding to which they now endeavoured to justify their policy. It was not the first time they had been charged with an intention of making Ireland a Roman Catholic country, and certainly the present measure would justify a repetition of the accusation. Let it only pass, and the time would not be long in arriving, when no Protestant religion would exist in Ireland. The Protestant cause in that country had already suffered severely from the measures of his majesty’s government. He could prove, that, within the last few years, the Protestant population had greatly decreased. In that short period, no fewer than 100,000 Protestants had been obliged to quit the country in consequence of the conduct of the Roman Catholics towards them, carrying with them property to a considerable amount. If justice had been done to Ireland, she would long before now have been a Protestant country.

The archbishop of Canterbury, and the bishops of London and Exeter, expressed themselves strongly opposed to the commission, the issuing of which belied all that they had hitherto expected from at least the head of the government. In the course of last session, a measure had been passed in regard to the Irish church, containing provisions very objectionable in themselves, but pressed upon the house as the only means of saving that church from the dangers which surrounded it. Alarming, however, as these dangers were, many, who were prevailed on to assent to that bill, would have resisted it, but for the assurances given that the bill was

understood to be a final measure. It had been declared by the head of the government, and the declaration had been repeatedly reiterated in both houses of parliament by the advocates for its adoption, that the bill of last year was the measure required for settling and tranquillizing Ireland. Yet almost before the machinery of this very bill had been brought into operation — before the church of Ireland had ascertained the effects of the measure; or the people had been allowed an opportunity of judging of those effects—the whole provisions of that act were to be virtually upset by the appointment of a commission. Sufficient time had not yet been allowed for the allaying of the excited feelings of the people to such a degree as to give the former bill a full and fair experiment; but, on the contrary, by the proposed commission of inquiry, whole parishes would be disturbed, and new agitations created. During the last session it had been over and over again stated, that abundant information had been acquired by different commissions which had already issued, on which to ground all the important changes that were effected and brought about by the bill referred to. It was difficult to conceive any grounds which could warrant the issuing of a new commission, except that some further encroachment was designed, or any object for which it was appointed, except the taking away the property of the church, and effecting its alienation in the worst possible manner.

The measures, on which ministers appeared to have resolved, must end in the ruin of the church. Concession could not stop here; it must go on from step to step, till

nothing was left to be conceded. To the question of earl Grey—what answer could his majesty have returned to an address of the house of Commons, founded on the resolution which, according to ministers, had been evaded by this commission,—the bishop of Exeter replied, that no conscientious or high-minded men would have been at any loss for an answer. An honest privy councillor would have told his Sovereign that he had imposed on him a most painful duty, from which, however, he would not shrink, for his position as a sworn councillor compelled him to discharge it. He would have said that, painful as it must be to his sovereign, who had deservedly enjoyed the affections of his people, and who had shown, through his whole reign, a regard to the feelings of his subjects, yet he could not forbear to recollect the oath which his majesty had taken at the period of his coronation. He would have told his majesty, that he had sworn to preserve the rights of all the clergy, and of the established church of England and Ireland, to the best of his power, and that therefore he must refuse his assent to the prayer of the house of Commons. He would have told his sovereign that he was bound, by the obligation of an oath, and that, even at the hazard of his throne, he must remember what was due to his God. Such, he would venture to say, would have been the advice of any noble lord on the other side of the house, who might have been called upon to afford his assistance in framing an answer to an address founded on such a resolution. He did not hesitate to say, that the house of Commons, which would venture to send such an address to the throne, were not the Commons

—that was to say, the representatives of the people of England. That people were not yet prepared to laugh to scorn the obligation of their sovereign's oath, or to trample upon the religion which was their best and dearest protection.

The earl of Limerick, the marquis of Westmeath, and the earl of Harewood, likewise condemned the commission. In respect to what had been said, that the issuing of the commission had been an act of most mature deliberation, the earl of Harewood said, that he did not believe one word of that statement. They were told, that such a commission had been recommended by the lord-lieutenant of Ireland in January last. When, however, did the commission come forth, and was it after mature deliberation? No! but on the night of Mr. Ward's motion in the other house of parliament; and the manner and period of its proposition raised a strong suspicion, at least, that it was put forward in a crude and premature, if not an incomplete state. So far from the course now adopted being the result of mature deliberation, it was another instance of a measure originating in the "pressure from without." They heard speeches, too, from members of the ministry in defence of church and state, but these afforded no proof of sincerity in the views they entertained. Would any man who had heard or read his majesty's speech at the opening of the present session, declaring, as it had done, that the union between church and state should be maintained, and the Protestant religion upheld, have thought that at that moment it was in contemplation to issue a commission to take from the established church such an amount

of its revenues as to the commissioners might appear to be a surplus, and to apply that surplus to other purposes? There had ever been in this country a prevailing feeling in favour of the church establishment, connected as that establishment closely was with the throne itself; that feeling had hitherto been backed by the government, and though, for want of such a support, it was now left to its own resources, he was satisfied the people of England did not wish to do away with the institutions of their country. If a further change was desired, it ought to be effected by a measure submitted to, and disposed of, by the legislature, instead of resorting to the expedient of a commission, which was not only dangerous in principle, but in effect would only create irritation, jealousy, and ill-blood.

The marquis of Clanricarde, the earl of Radnor, and the marquis of Lansdowne, justified the government in issuing the commission. The first of these noblemen contended that there was a clear case for inquiry. No less than 930,000*l.* was annually expended in Ireland in the religious instruction of 600,000 Episcopalian Protestants, scattered among 6,500,000 Roman Catholics; and only 14,300*l.* per annum was expended in the instruction of 600,000 Presbyterians. Since the union, the established church had likewise received from parliament, from time to time, upwards of 500,000*l.* for building new churches. This statement alone showed a most unequal distribution of revenue. By a statute of Henry 8th, the clergy were bound to maintain the several diocesan schools; but the 14th report of

the commissioners in 1824 showed, that only 13 of these schools were open. The effect of all these circumstances had been to excite resistance to the collection of church temporalities, and to expose the Protestants of Ireland to the odium and reproaches of the rest of the people. Accordingly, the evidence taken before both houses of parliament showed most distinctly that the church establishment was mixed up with all the discontent, grievances, and disorders of Ireland.—The marquis of Lansdowne believed the statements often made regarding the wealth of the Irish church to be greatly exaggerated; but this very commission would put an end to all doubts. He would not consent to adopt as a principle, that the church of Ireland should be framed in accordance with any proportion which the religious sects in Ireland might bear to one another. Nothing, in his opinion, could be more mischievous. But while he would reject it as a sole principle, he must contend it ought to be taken into view as a component part in any contemplated arrangement. He repudiated altogether the idea of the formation of any other establishment at the expense of the church of England. If there should appear to be a surplus, he only contemplated its appropriation to pious and charitable purposes connected with the established church. The great object proposed by the commission was to obtain facts, and lay them before parliament for its consideration; and unless it should happen that they doubted the credit due to the commissioners, they would be bound to rely upon these facts. If they showed that there was a surplus, after supplying amply the

spiritual wants of the people, he considered that surplus would be at the disposal of the state for such purposes as he had intimated.

The duke of Wellington contended, that the alleged necessity for farther information must be treated as a pretext. At that moment, there were ecclesiastical commissioners appointed to inquire into the affairs and circumstances of every parish, and the emoluments of every living in Ireland. Commissioners had been before engaged in inquiring into all the circumstances attending the population of Ireland, and the state of society there. So that all things respecting the population and the state of society in Ireland ought to be, or at least might be, better known than the circumstances of the population in England, or indeed, he might say, in the metropolis. What then was the object of the measure? Surely it must be something more than the mere attainment of superfluous knowledge. The ministerial leader of the house of Commons had declared, that the commission was but the first step. Neither was it a very regular step. It was stated, that the commission had been signed and sealed on Monday last. The great seal could not be put in motion without the concurrence of the privy seal; and knowing that the earl of Ripon had expressed his dissent to the commission, he felt assured that he would have sooner put his hand in the fire than have facilitated its issue by affixing the privy seal to it, so as to render it fit for the reception of the great seal. The fact was, the noble earl had not put the privy seal to this commission. The great objection to the commission was, that it had been made to proceed from the

king, and not from either branch, or through the intervention of either branch, of the legislature. It was the king who ordered that the great seal should be put to the commission. But there really was no reason why a writ of emergency should have been resorted to, and the powers of the crown called into action. His majesty was not well treated when he was brought forward on this occasion. There was no emergency. The government might just as well have waited until that day (Friday) for a noble lord holding the privy seal, who would not hesitate to affix it to the document. No point was gained by it. Nothing had been attained by it, excepting that which indeed was the apparent object of the whole transaction—to carry a few votes in parliament. His majesty's advisers should have paused before they recommended to him to interfere personally, as he had done, in a case like the present, affecting the church, more especially when there was no reason which could be fairly and honourably urged for having recourse to a writ of emergency. The commission in itself was highly dangerous, and the conduct which ministers had pursued in reference to it was deserving of the strongest disapprobation.

The Lord Chancellor thought the house had been arguing and contending, and supposing and concluding, about a thing of which they knew nothing, of which only his majesty's ministers could know any thing, and all the details of which were still things future. He asserted that the commission contained none of those formidable matters which its opponents seemed to fear from it. It was to be purely a statistical inquiry,—one

relating altogether to numbers and distances. Not one matter of opinion, or doctrine, or discipline, or observation, or remark, was to be embodied in the report, or made an object of inquiry. If the chancellor of the exchequer had said, that the government would act on the report of the commissioners, he had said nothing more than that government would act upon authentic information supplied to them by trustworthy and competent persons, and would feel itself bound, compelled, he might say, to recommend to the legislature such measures as might appear, from the results of the inquiry, to be not only advisable but necessary. This inquiry, however, it was said, could have only one result. The very small proportion of Protestants throughout Ireland, and the large amount of the revenues received for their spiritual instruction, would become known, and all men would see that there was a surplus. Well, then, at the worst, let it be applied to the purposes of education and charities belonging to the established church. If things were as the other side apprehended, he had no knowledge of the fact. Let the house have an inquiry, and let them await its result. The inquiry was intended to be fair and impartial, in order to afford an opportunity to the Irish church to tell its story, as well as to those who doubted the use of that establishment as at present constituted, to tell their tale. There were so many opposite accounts—one man maintaining there would be a great surplus, another a moderate surplus, while a third declared there would be none at all—that some inquiry was absolutely necessary. But

supposing there was a surplus, it should first of all, if not exclusively, be applied to the purposes of religious and moral education on the principles of the established church. The source from which the fund came, naturally indicated the objects to which it should be applied. As to the Catholic church having one single fraction of a farthing of the fund, no opponent of the commission would more strenuously oppose such a proposition than he himself would,—if such a proposition could for a moment be conceived. No greater curse could befall the people of Ireland—no greater danger could arise to the liberties of Ireland and England, than any thing which would tend to install the Catholic as the established religion of that country. Liberty would not be safe; and, in his opinion as a Protestant, religion, in such a case, would be no better off than liberty. Any notion of an attempt towards establishing the Catholic church had never, even for a single moment, entered the imagination either of his colleagues or of himself.

Ministers, in the mean time, had been proceeding with a bill for the amendment of the tithe system in Ireland, founded on principles which should extinguish tithe altogether as a payment exigible in kind, and should lay the burthen directly, at least, on a different class of payers. On

the 20th of February, the house having resolved itself into a committee to consider the portion of the king's speech relating to this subject, Mr. Littleton, the Irish secretary, detailed the provisions of the intended measure. He stated the different expedients which had been adopted in the shape of composition bills, voluntary and compulsory, to facilitate the collection of tithe, and the grants made by parliament for making good its amount to the clergy, when the spirit of violent and combined resistance had rendered it impossible for them to enforce payment. The last grant had been that of 1,000,000*l.* voted during last session to cover the arrears of 1831, 1832, and 1833. The number of applications for the benefit of this fund had been 2,486, of which number 2,414 had been sustained, requiring to meet them 751,731*l.* and about 20,000*l.* more would probably cover all good claims. The greatest number of them, generally speaking, were from counties in which the Catholic population was the most numerous. He then entered into various details, and read various tables, to show how subdivided and minute were many of the payments exigible as tithe. He gave the following instances of the proportion which persons liable in less than 9*d.* bore to the whole number of tithe payers:

In a parish in the county of Carlow . . . with	446	tithe payers, those paying under 9 <i>d.</i> were	221
“ “ “ “ “ Clare . . . “	434	“ “ “ “ “ “ “ “	254
“ “ “ “ “ Cork . . . “	1270	“ “ “ “ “ “ “ “	419
“ “ “ “ “ Queen's County . . . “	206	“ “ “ “ “ “ “ “	58
“ “ “ “ “ Tipperary . . . “	341	“ “ “ “ “ “ “ “	125

There were other parishes showing similar proportions. He found that, out of a body of 7,005 tithe payers, no fewer than 2,334, or

VOL. LXXVI.

one third, paid sums under 9*d.* The clerk at Dublin Castle had informed him, that in a parish in Carlow the total sum due by 222

[F]

defaulters, out of 481, was only 10s. 3½d., or about one farthing each; yet, in consequence of the larger sums due by the other defaulters, the average ran up to about 4s. 7d. each. A return of the actual number of defaulters whose debts were under a farthing, and rose by farthings up to a shilling, would exhibit a very large proportion of the gross number. In some instances the charge upon the land amounted to only seven parts of a farthing. When he informed the committee that many of the smallest sums were payable by three or four persons, some idea might be formed of the difficulty of collecting tithes in Ireland, arising from causes independent of agitation. The act of last session had no doubt diminished the inconvenience by reducing the number of payments by tenants of a certain class. An account of the number of tenants, who, under the act of last session, were liable in composition, gave, in 66 parishes, selected from 22 counties, 16,231 occupiers of land from whom tithe was exigible. Of these, as appeared from the same returns, 7,041 were yearly tenants, thus reducing the number of payers to 9,190. This might be taken as a fair average of the whole of Ireland, and would show that the enactment of last session, if there were not other causes at work to counteract its tendency, would greatly facilitate the operation of the composition act. To meet these causes, by giving to tithe property all the value which parliament could confer upon it, was the object of the plan which ministers had now concocted.

Government, then, proposed 1. that, from and after the month of

November next, composition for tithe should cease in Ireland, and in lieu thereof a land-tax should be imposed, payable to the crown, and to be collected and managed by the commissioners of woods and forests, of the same amount as the tithe-payment now exigible, and to be paid by the same parties who at present were liable. This had appeared to ministers the best expedient for realizing the property of the church: any other mode would be liable to the objection that it shifted the burden from one class of men to another who ought not to bear it. 2. This land-tax was to be redeemable at the end of five years by all who had a substantive interest in the estate. The reason why five years had been named was, that the sum of 800,000*l.* which had been advanced to the clergy of Ireland would, during that time, be in the course of payment, and these payments would of course be deducted from the sums which the clergy might be entitled to receive from the commissioners of woods and forests. As to the terms of redemption, the number of years' purchase, in other words the rate of purchase, must vary in different counties. The only course was, to determine the number of years' purchase which land was worth, and to take something below that for the number of years' purchase of tithes. From all the information which he had got on the subject, he would say, that the value of tithes might be taken at four-fifths of that of land. It was proposed then to ascertain by commissioners what the fee-simple of land was worth in the several counties in Ireland, and by that rule to determine the number of years' purchase applicable to tithes.

There were some counties in Ireland where land was worth twenty-five years' purchase. In those counties the value of tithe would be twenty years' purchase. In other counties land was not worth more than eighteen years' purchase. In such counties the tithe would be worth fourteen years' purchase. In a majority of the counties land was said to be worth twenty years' purchase, and in those the value of the tithe would be sixteen. He did not see, that this was an arrangement of which the land-owners could complain. Besides being freed from the feuds, combinations, and conspiracies, which diminished the value of his estates by driving from them capital and industry, the land-owner would receive an abatement of one-fifth of the land-tax, while he would be entitled to recover the whole amount from the occupier, or other parties liable to pay. Suppose a case where land was valued at twenty years' purchase; the owner could redeem the land-tax at sixteen years' purchase, out of which he got an abatement of one-fifth. Taking this and the rate at which he could raise money for such redemption, it would be found that he would have to pay only 64% for every 100% which he could recover from his tenant. Another mode of redemption might be by at once giving land in lieu of the tithe. Where this was preferred, the land-tax would be redeemable for so much land as should yield annual rents and profits equal to four-fifths of the land-tax. Where the redemption was carried through by paying so many years' purchase, there would require to be added to the price such further sum as, reckoning the interest of money at $2\frac{1}{4}\%$.

per cent per diem, might be required to make up, for two years, an income equal to four-fifths of the land-tax. The power of redeeming would be given to all who possessed an interest in the land above a lease of twenty-one years. 3. So much of the land-tax as should remain unredeemed on the 1st of November, 1839, should be converted into a real charge equal to four-fifths of the land-tax, and payable by the owner of the first estate of inheritance in the land, who should be entitled to recover the whole amount over against his tenantry—for in this case it would not do to make the charge on those who had only an interest inferior to that of inheritance. These rent-charges would be redeemable or saleable for the best price to be had, not being less than the consideration for redemption of land-tax. 4. The tithe-owners would be paid by warrants issued by the ecclesiastical commissioners for Ireland, and addressed to the commissioners of woods and forests, such payments to be of the amount of the compositions to which the tithe-owners might be severally entitled, subject to a deduction for the trouble, loss, and expense of collection. The rate of deduction would be variable for each county, and be fixed by a commission, with reference to the average expenses and outgoings attendant on the collection of tithes in each county during the ten years, from 1820 to 1830. 5. On redemption of the land-tax or sale of rent-charges taking place, the payments by warrant were to cease; the redemption or purchase-money was to be paid over to the commissioners for the reduction of the national debt, and to yield an

interest of $2\frac{1}{4}d.$ per diem. The money was to be from time to time drawn out, and invested in land for the benefit of the tithe-owner entitled to the principal money. The deduction for collecting he considered perfectly fair. When the tithe-owners would be relieved, by this bill, from the vexation and annoyance, the difficulties and obstructions which now surrounded them in attempting to collect their tithe, they could not well refuse to pay something for the relief thus given. The amount of this deduction could not be fixed by the bill, so much did the expense of collecting tithe vary in different places; but in no case would it be less than ten per cent. When the money of any tithe-owner was once invested in land, the land would be transferred to the clergy or other party having a right to it, and from that moment the government would have nothing further to do with it. The great object was, if possible, to invest the produce of the land-tax and rent-charge in land, so as to give to the tithe-owner 80% in land for every 100% tithe, to which he had a claim. It might be thought that there would be some difficulty in investing the money in land; but, in his opinion, there was no case in which it would be long in finding adequate investment. He found, by certain returns that he had obtained, that the amount of landed property sold in Ireland, in the three years previous to 1830, was not less than 9,000,000% sterling. Supposing that no greater supply than this was to be had, he could easily conceive that many persons, on whose estates a land-tax, or rent-charge arising out of it, to some amount might

be laid, would be willing to sell a portion of their estates to discharge the burthens on the remainder. It was proposed also, that, in entailed estates, timber might be felled for the same purpose, and that property invested in the hands of trustees might be made applicable to the purposes of the bill. Where compositions had been already agreed to by clergymen, the clergyman would get tax to the same amount, redeemable on the same terms as in other cases. Indeed, the clergy in such cases would gain probably about five per cent, by the proposed change. Mr. Littleton concluded with moving the following resolution, containing the basis of the plan which he had thus developed:—
“That it is the opinion of this committee, that composition for tithes in Ireland ought to be abolished on and after the 1st day of November in the present year, in consideration of an annual land-tax, to be granted to his majesty, payable by the persons who would have been liable to such composition for tithes, and of equal amount; that such land-tax shall be redeemable; and that out of the produce, provision be made, in land or money, for the indemnification of the persons entitled to such composition.”

The more moderate members reserved their opinions until the details of the measure should be more fully before the house; but Mr. O'Connell, followed by Mr. O'Connor, Mr. Sheil, Mr. Grattan, and other declared enemies of a Protestant establishment, or of any establishment, immediately attacked it with unmeasured violence. Their motive was obvious. The ministerial plan, whatever might be its other vices, did not

abolish tithe, and this abolition was the object at which the agitators now openly aimed. Of all the delusions which had ever been practised, this, they said, was the most gross. Did ministers think so lowly of the people of Ireland as to imagine, that a change of name would be mistaken for a change of the thing, or that tithes would become less odious by being called a land-tax or an annuity. In what part of this plan was to be found "the total extinction of tithe?" Was it in this, that the peasantry, instead of paying 60% of tithe-rate, would have to pay 100% of land-tax? The people of Ireland did not object merely to the amount of tithes paid, but to the application of the funds thence arising; the objection to tithes was double, and now that objection would mix itself with rents. The landlords of Ireland must now look to themselves." The principle, upon which opposition to tithes had hitherto been conducted, would forthwith be applied to rents; for the people of Ireland would not regard the present measure as the smallest alleviation of their misery. If it had not this effect, it would have the effect of uniting landlord and tenant, and entirely stopping the payment of tithe. The landlords would not consent to become the tithe-proctors of government. Under the new plan, there would be a recurrence of precisely the same evils as now existed. It was liable to every objection that could be urged against a compulsory collection of tithes. The payers were to be the same, and the amount the same. The only difference was, that the payment was to be made to the king. It was plain that government intended to give only land to the church in

lieu of the existing value of tithe, than which no proposal could be worse; for it was universally admitted, that land belonging to the church might be distinguished by its poor condition from every other kind of land.—Mr. O'Connell proposed that two-thirds of the existing tithe should be entirely abolished. He would leave the remaining third as a quit-rent on land; and after providing for the life interest of the present incumbents, he would apply the produce to the relief of the landlord from grand-jury assessments, to the support of charities, and other public purposes. This plan had the merit of being not delusive. The people of Ireland would understand it, and the result probably would be, that prædial agitation would cease.—Mr. Barron, again, did not wish to see any reduction in the amount of what was levied under the name of tithe, but only a different application of it. It was property which had been alienated from the poor, and transferred to the support of a church whose doctrines were those of only a small portion of the Irish population. It ought now to be restored, in part at least, to the poor, in trust for whom it had been given in old times to the Catholic church. The hostility against tithe property would never cease, till that property was applied to useful public purposes. If it were so appropriated, the people of Ireland would pay with willingness the last farthing of the claim which the state had upon them on the score of tithes.—Mr. Grattan proposed a third scheme, which he moved as an amendment embodied in resolutions to the following effect:—"That it is essential to the peace of Ireland that the sys-

tem of tithes should be extinguished, not only in name but also in substance,—that we recognize the right of persons having vested interests in them, and declare it to be the duty of parliament to make them a just compensation by means of a land-tax,—that we also recognize the liability of property in Ireland to contribute to a fund for the support of religion and charity, but think that such a fund should be different in collection, and lighter in its amount, than that now raised by the system of tithes.—Resolved, that we are also of opinion, that the mode of application and distribution of that fund ought to be submitted to the decision of parliament.”

Lord John Russell characterized Mr. O’Connell’s plan as nothing less than abolishing tithe altogether. It was a direct act of robbery, neither palliated nor disguised; a mere confiscation, which assumed the appearance of giving relief to the miserable and vexed occupiers of the soil, but which, if it should be adopted by the legislature, would be beneficial to none but the affluent landholder. Those again, who sought not to reduce the tithe, but to change its application, could not resist the present measure, which went only to secure the realizing of the fund, leaving open all questions regarding its appropriation—Mr. Lambert, too, an Irish member, while he objected to some of the details of the measure, approved of its principle. If tithe was to remain in any shape, he thought it highly just and expedient that it should be in the nature of a land-tax, to be paid into the Exchequer. Sixteen years’ purchase, however, was beyond its fair value. The paramount difficulty was the existence

of a party in Ireland who would neither allow the people to be quiet, nor permit the government to make them so by redressing the real grievances under which they suffered.

On the division, the original resolution was carried by 219 against forty-two, and a bill founded upon it was brought in. On moving the second reading on the 2nd of May, Mr. Littleton mentioned certain alterations which had been introduced into it. The principal changes were, that, instead of a varying rate of deduction on account of the trouble and expense of collecting, an uniform rate of deduction should be made on the payments to tithe-owners of fifteen per cent., except in cases where landlords had already taken upon themselves the payment of compositions, and in such cases, to meet the additional costs of collection, the deduction would be $17\frac{1}{2}$ per cent. Another alteration was, that when leases of tithes had been made to the possessors of lands, the rent reserved on such leases, or the composition, whichever was the smaller in amount, should be the measure of the land-tax, but the incumbent lessor was to receive the amount of the rent, subject to a reasonable charge for collection; the deficiency, if any, being made good out of the funds arising from the deductions. The clause, authorizing an abatement of ten per cent. on the redemption money in the case of estates much subdivided, was to be struck out, and power given to the commissioners of woods and forests to direct a valuation of any individual estate for the purpose of redeeming the land-tax.

The opposition of the Irish members continued unrelaxed, or even

increased in violence. It was made to rest on the same grounds as those which have been already stated; and many attempts were made to induce ministers to declare what plan they intended to follow in the application of the fund when it should have been realized. If government had declared itself prepared to divert the whole or a great portion, of the tithe from the purposes of the Protestant church, the opponents of the measure would have detected in it infinitely fewer errors. In the present stage, however, they contented themselves with moving as an amendment that the second reading should be delayed for a week, with a view to collect the opinions of the Irish members, and give time for alterations which might modify their objections. This might have been useful, if these objections had been directed only against particular details; but they were directed against the very essence and foundation of the measure. The true source of resistance on the part of the Irish members was not so much any dislike to the proposed scheme, viewing it as a plan for securing the future payment of tithe, as a determination that no plan should be good, which did not recognize the principle of despoiling the Protestant church, and that no tithe should be realized in any way, if it was still to be applied to the purposes to which it had hitherto been appropriated. This was the amount of all their prophecies—that the new bill would be as inefficient to tranquillize Ireland as its predecessors had been; that a new insurrection act, and an additional army, would be necessary. Their denunciations of its injustice merely meant that

it was oppression to exact tithe in any shape from Catholic Ireland; and these prophecies and denunciations, thus proclaiming to Ireland that, in resisting it, they would only be resisting what was cruel and oppressive, did all that could be done to verify themselves. Even Mr. Lambert, who, when the Irish secretary first explained his measure, had approved of its principle, and only objected to some of the details, now declared that he would give the bill his most strenuous opposition, considering it to be a measure of injustice, in return for which they would not even have the benefit of restoring public tranquillity. — Mr. O'Reilly opposed the bill, not, he said, from any hostility to church property, but mainly because it held out a premium to landlords to assist in the collection of tithes. He contended, that if any premium was to be afforded, it ought to be given to the tenants, and not to the landlords, for much of the opposition to tithes arose from the landlords granting lands at rack-rents. The struggle really was whether or not the small interest of poor tenants should be destroyed or preserved, and the tenants were indifferent as to the result, hoping that, in the struggle, their little possessions would be altogether freed from this species of taxation. This class of tenants would prefer the church itself as their landlord, rather than remain under the present system.

Mr. Goulburn said, that although this bill contained a greater abandonment of property than any other bill had ever done, he felt himself bound to agree to the second reading, both in the hope of being able to amend it in committee, and to avoid the still more destructive measures which others

seemed ready to propose. No person had objected to the principle of commuting tithe into land; but then the commutation must be equitable. Now, by this bill, the lay impropiator who, under the sanction of the existing law, had purchased an income of 100*l.* a-year as a provision for his family would find it suddenly reduced full fifty per cent. The bill would be equally injurious to the income derived from ecclesiastical tithe. This was the object of the bill, not indeed openly and distinctly stated, but enveloped in 169 verbose and complicated clauses, of which it required some application to catch a glimpse of the meaning. The investing of the redeemed land-tax in land would occasion a farther loss to the tithe-owner. In one part of the country, land would sell for twenty-four years' purchase, and in another, for only eighteen. Now, would not the party redeeming his tithe choose the time when corn was at the lowest, and the place where the price of land was the cheapest? From the clergy this bill would require still greater sacrifices than any which they had hitherto made. In 1831, they had been deprived of twenty-five per cent. of their incomes, and of twenty-five per cent on all arrears due before that time; and their income was now to be still more seriously reduced. Such a proposition he would never have entertained under ordinary circumstances; but when he found that he had no choice between this bill and the still wilder and more extravagant schemes of those who opposed it, he thought it his duty to vote for it rather than aid measures evidently pregnant with greater dangers.

Mr. Sheil objected to the bill

that it increased the patronage of the crown, requiring receivers through whose hands would pass 600,000*l.* per annum, on which they would have five per cent; and that it was indefinite, in one parish the tenant having to pay the tithe, and in another the landlord. It was a bill in regard to which there was, he said, but one universal and unbroken feeling of dissent—and Mr. Sheil immediately let out the reason why he, at least, thought that feeling ought to exist. Was it a fact, he asked, that ministers were divided on the question of the appropriation of church property? Here was proposed a permanent appropriation of tithe, in the shape of land, for the exclusive benefit of the church. After this it would be idle to talk of a power of future appropriation as the legislature might think fit. The thing was done at once, and done permanently by this bill. He wanted to get an answer from ministers on the question of appropriation; he called on them to remove all ambiguity and doubt as to the sentiments of members of the cabinet on the subject. Did the secretary for Ireland intend to support an appropriation? What would the chancellor of the exchequer do? What were the sentiments of the president of the board of control? He had been lately employed in constructing new bishoprics for India. What would he do in Ireland, if so insignificant a province was worthy of his notice? What were the opinions of the judge advocate? Would the paymaster of the forces agree to a bill by which this property was to be vested in mortmain in the church?—Mr. Stanley answered, that perhaps it was not

very material to the merits of this bill, whether ministers were or were not agreed on the question of the appropriation of church property. On one point, they were all agreed—that the first duty of the government and of parliament was to maintain the existence of the property. They would not be deterred from maintaining that property which might be afterwards disposable by the legislature. Ministers were all agreed as to its appropriation at present, and they would not suffer it to be wrested away by violence, or frittered down by fraud or collusion. The bill had been objected to because it conferred a certain degree of patronage on the government. If Mr. Sheil could point out any mode by which money might be collected without the assistance of collectors, or collectors could be got to do their duty in a satisfactory manner without being paid for it, he should be exceedingly happy to avail himself of that learned gentleman's advice on the subject; but until he could find persons so disinterested and enterprising, he was afraid we must be content to pay out of the sum collected a proportion to those who collected it. It had farther been objected that this was no uniform system; that the tenant would be paying on one estate, and on another the landlord. But how much more monstrous would it be to have a tithe-free estate on one side of a hedge, and a tithe-paying estate on the other! How monstrous for the tenant of the tithe-free land to pay more rent to the landlord because it was tithe-free, while the occupier of the land chargeable with tithe paid a rent proportionably less on the ground of the liability. Thus this notable ob-

jection to a great and just measure went entirely on the fact that two farms might not be in precisely the same circumstances. But, it was said, tithes cannot be collected now; how will they be collected more easily under this bill, when they are to be drawn by the landlord? Surely it was not seriously meant to put the difficulties subsisting in the two cases in competition? Tithes varied in amount from one-thirtieth to one-twelfth of the rent in different parts of the country; in some extraordinary cases, they were stated at one-third of the rent, but taking the whole of Ireland, the average amount of charge for tithe was not 1*s.* 3*d.* in the pound. The charge was divided into a multiplicity of small portions; and in many cases, where the clergyman got sums of 6*d.*, 2*d.*, or 1*d.*, from individuals, these parties were all tenants of the same landlord, who would be able to collect, when applying for 20*s.* of rent, 21*s.*, including rent and tithe, without additional trouble, and had his remedy of ejectment if the tenant refused to pay. They were threatened indeed with a continuance of excitement to set at defiance the demand of the landlord, and his demand not merely for the tithe which he had paid, but likewise for his own rent. He was aware that excitement existed, and the landlords of Ireland must take the consequences of the course of agitation that had been pursued. He wished it could be otherwise: but landlords holding property according to existing rights could not escape the inconveniences arising from excitement and agitation, which had unfortunately existed for so many years. It would be

unjust to put the money into the landlord's pocket ; and if by collusion between landlord and tenant tithes were retained, and an exorbitant rent paid, that would be a gross fraud upon the church, and an undeserved benefit to the landowner.

The house rejected the amendment by a majority of 167 ; 76 voting for it, and 243 against it. The minority of 76 contained 58 Irish members. Mr. O'Connell, however, would not allow the principal question to be put. He insisted on the debate being adjourned, notwithstanding the entreaties of Mr. Littleton, who was even willing that the second reading should be only *pro forma*, leaving the principle still open for future discussion.

When the debate was resumed on the 6th, Mr. O'Connell, apparently without any reason, moved that the house should be counted ; and one of his followers explained that the motive for this proceeding was, to show the country, that while ministers could command the attendance of upwards of 500 members at five o'clock to support the pension list, yet, at six o'clock, not many more than 100 could be assembled on an Irish question, although that question was one of the utmost importance to the Irish nation. — Mr. Stanley begged, that when a house of 118 members was again counted out to show the indifference of British members to great Irish questions, Mr. O'Connell would have the goodness to declare how many of his own name were among those who were present, it so happening that he himself was the only one of his tribe then in the house. The adjourned debate presented a repetition of the same declamatory

statements which had already been so liberally indulged in, pointing at the same great object of rejecting a measure which, considered in itself, secured the tithe in perpetuity to the Protestant church. It was not easy to avoid the belief that, some, at least, of the most violent among the Irish representatives viewed the bill with detestation because they thought that it would truly render the tithe which it preserved more secure, and more easy of collection, and infinitely diminish the occasions of collision between the clergy and the tenantry. It might be doubted how far they themselves believed in their predictions of increased confusion and bloodshed, except in so far as they estimated correctly their own capacity to produce such a state of things on any grounds, however slight and fictitious ; and whether they did not use these predictions to stop, by creating alarm, the progress of a measure tending to restrict the operation, and diminish the materials, of that very agitation which they still hoped to employ as the means of securing, step by step, the final abolition of the Protestant establishment.

The only new feature in the discussion was another plan of Mr. O'Connell for so disposing of the tithe question, at an expense of only 120,000*l.* a-year, as to give the clergy all that the bill proposed to give them, and ensure the pacification of Ireland. He had no wish, as he said, that any part of the tithe should go into the pockets of the landlords ; on the contrary, they ought to be prepared to make a sacrifice. The amount of tithe was taken at 600,000*l.* By the bill itself, the clergy were to sacrifice one-fifth ; there remained only four-fifths to be provided for. He

would provide for them by taking one-fifth from the landlord, one-fifth from the public purse, and making the other two-fifths a land-tax, redeemable by the landlord at twenty years' purchase. This would secure the assent of all parties; and who would say, that the pacification of Ireland would be dearly purchased at the expense of 120,000*l.* a-year, when they had given 20,000,000*l.* for the emancipation of the negroes. He would respect vested interests, and give to every existing incumbent the full amount of his tithes for life; but, in future, no Protestant clergyman should receive tithe in any parish where there was no Protestant inhabitant, and no duty to perform. Farther, in any parish where one-fourth of the inhabitants were Protestants, the clergyman would continue to receive his tithes to their present full amount. As the incumbents dropped off in parishes where there were no Protestants, the tithe might go to a general fund, which might be applied in charities, in supporting hospitals or dispensaries. It would tend, likewise, to the pacification of Ireland if a part of the fund were to be applied to purchase small glebes for the clergy of the people of Ireland. He did not speak this from authority, or from any communication with the parties concerned. So far from its giving satisfaction in those quarters, it might happen that he should be blamed for even the bare suggestion. At least, his plan would be received with gratitude, and would pacify Ireland. But the present bill would only involve the landlord in the agrarian war from which they were extricating the clergyman; for the instant they mixed up tithe with rent, they put the landlord in the

place of the clergyman and the tithe-owner. Government had tried every remedy except the one which would be efficient—diminishing the burden of tithes, changing their allocation, and relieving the people of Ireland from the obligation to pay the clergy of one religion, while they themselves professed another. In truth the present bill, while it professed to diminish by one-fifth the payment to the clergyman actually increased the burden to those who paid for it, took the value of tithes as fixed under the composition acts, including the compulsory composition act of last session. Both under it, and under the previous voluntary composition acts, the tithe had been valued greatly too high. Under the latter, no composition could be effected without the consent of the incumbent and the bishop; and the clergy took good care not to assent to any composition which they did not think advantageous to themselves. It was to a certain extent a voluntary act, as no composition could be carried into effect without the consent of the parishioners. At first only the high rate-payers were allowed to judge of the propriety of a composition; but as these were not found to fall in with the views of the clergy, the poor rate-payers were added, and then the clergy, surrounding themselves with the vestry officers, and returning continually to the attack, at length succeeded in their object of getting a high composition. The compulsory act of last session, again, established a most unfair mode of composition. Nor were the people entirely free from fault. They had determined not to pay tithe, and they were ready to shed their blood in maintenance of that resolution. They did not

attend the commissioners, and the consequence was, that the valuation made of the tithes was an exaggerated one. The commissioners, too, had been badly chosen, and had acted on bad principles. Instead of taking the valuation from what had been paid, they took it from what had been agreed to be paid by those who knew that they did not intend, or were not able, to pay anything.

To the allegation that the composition had been struck at too high a rate, Mr. Stanley answered that, tempting as the subject was, he would not say a word regarding the inducements by which the people had been prevailed on not to appear before the commissioners. Nay, if that alone stood in the way of tranquillizing Ireland, he would consent at once to a correction of all erroneous compositions without inquiring how the error had been caused. But what was the prospect of Mr. O'Connell's plan securing the pacification of Ireland? First, he said, "I shall deduct one-fifth from the present incomes of the clergy, according to the arrangement of the present bill." So far ministers and he were agreed—that such a sacrifice on the part of the clergy was advisable for the sake of the tranquillity and future welfare of Ireland. But when he farther proposed to take another fifth out of the public revenues of the empire, he was putting forth a claim on behalf of the tenants and landlords of Ireland which they had no right to make on Great Britain, either in reason or equity. The bill proposed to deal with four-fifths of the tithe, by charging it now on the party occupying the land which paid it, and prospectively on the landlord, and by giving him the power of

redeeming that charge by a fixed payment on the annual rent. On the other hand, Mr. O'Connell said, "let the loss be borne thus:—one-fifth by the clergyman, one-fifth by the crown; and let the other three-fifths be thus apportioned—one-fifth by the landlord, and two-fifths by the occupying tenant." Where, then, was the prospect of the pacification of Ireland? He would have embraced the project with eagerness, had he seen in it any prospect of that pacification; but could any reasonable man see in it any such prospect? Mr. O'Connell himself had told them, over and over again, that it was not the amount of tithes to which the people of Ireland objected, but to the objects to which that amount when paid was applied. That was the whole case. Why, then, all this distinction about what was to be done with the two-fifths and the three-fifths? If the objection of the people of Ireland went not to the amount but to the principle of the payment for tithes, why should the house suffer itself to be deluded by this new scheme? That scheme was objectionable, because it multiplied the number of paymasters to the church, without facilitating the means of collecting payment for the church. They left all the difficulties as they found them—they let all the blood be shed for the two-fifths which was now shed for the whole amount of tithe under the present system. Recollecting this, he must observe that the proposal in question was a mere fallacy. He preferred this bill, modified as it might hereafter be in its details, to any project, however plausible, which held out no rational prospect of the future pacification of Ireland,

which decided no question but the allocation,—a topic which he would not argue now, because it must be more seriously discussed on some future occasion by parliament.

Those members of the conservative party who spoke were inclined, in general, to carry the bill into committee. Their objection to it was, not that it left too much to the clergy, but that it took too much from them. They deemed it necessary to support ministers to prevent worse measures from being forced forward ; and they believed that the funds to be secured by the present bill were to be applied exclusively to the purposes of the church. This belief was somewhat shaken by the language of lord John Russell, who stated, that he understood the bill to be one for securing a certain fund appropriated to religious and charitable purposes, and if parliament found it was not appropriated by the church to those religious and moral purposes for which such revenues were intended by all churches, it would be the duty of parliament to consider of a new appropriation. His own opinion was, that the revenues of the church of Ireland were too large for the religious and moral instruction of the persons belonging to that church, and for the safety of the church itself. When, therefore, this property was once successfully vindicated against those who wrongfully withheld it, he would be prepared to do justice to Ireland ; for if ever any people had good reason to complain of a grievance, it was the people of Ireland in relation to the present appropriation of tithes. These sentiments were hailed by the Catholic party as announcing an approaching concession of all they had demanded ; while some mem-

bers of an opposite way of thinking complained, that, if such were the intentions of government, they had been induced by a false belief to receive the bill with favour even at the sacrifice of some of their own convictions. They did not lend themselves however to those who opposed the bill on diametrically opposite principles, and the second reading of the bill was carried by 250 votes to 54, 44 of the minority being Irish members.

Mr. O'Connell immediately gave notice that he would still bring the question of appropriation before the house before going into committee ; but, in the mean time, that question was distinctly brought forward by the motion of Mr. Ward, the discussion of which has been already detailed. The issuing of the commission by which ministers evaded that motion, rather than met it, the consequent secession of those members of the government who would not consent, even indirectly, to any plan of appropriation which might include purposes other than those connected with the Protestant religion, and the fair inference, from the fact of their secession, that opposite principles now reigned in the cabinet, seemed fitted to cherish the hopes of the Catholic party, and ought, it was probably thought, to have moderated their opposition. Some important alterations, moreover, were introduced into the bill itself. The enemies of the church had been peculiarly hostile to the provision by which the redeemed land - tax was to be vested in land, and the land vested in the tithe-owner. The ostensible objections were an assertion that the lands of ecclesiastical proprietors were always behind in point of cultivation, and

an anticipation that the possession of land would increase the political influence of the church, and an apprehension that it would be impossible to find a sufficient quantity of land to serve the purpose; but the real objection was, that the position of the church, as the recognized and independent proprietor of real property, in consequence of a solemn transaction by which one-fifth of its revenue had been given up, would tend strongly to confirm its claims and perpetuate its rights. Under the auspices, therefore, of what the Catholic party called the "purified cabinet," that part of the bill which invested the revenues of the church in land, and consequently the redemption clauses, were dropped. The composition was to be converted into a land-tax payable to the crown by the same parties who were now liable for the composition. The amount so collected would be paid to the tithe-owners, subject to a deduction of three per cent. This would endure for five years, at the end of which period four fifths of the land-tax would be converted into a rent-charge to be imposed on the owners of estates of inheritance, who should have the power of recovering it from their tenants, and all others who were primarily liable under the existing composition-laws. The amount of these rent-charges would be received by the crown, and by it paid to the tithe-owners, subject to a farther reduction of two and a-half per cent for the expense of collection. The reasons assigned by Mr. Littleton for this alteration were, the representations made to government by its firmest supporters both in Ireland and in the house, that the quantity of land required would prove injurious to

the country, and would lead to a great increase in the political influence of the church. Another objection to the bill had been, as we have already stated, that under the composition-acts, the tithe had been valued too high, the payers, determined to pay no tithe, having failed even to attend the commissions by whom the composition was struck. To this objection effect was now given by the insertion of a provision conferring a power of appeal against the valuation of the amount of tithe composition in certain cases and under certain restrictions. Wherever seven rate-payers in a parish, each paying not less than 20s., should send to the commissioners of land revenue a memorial stating their grounds of appeal, the lord-lieutenant was to have power to constitute a court consisting of three barristers, for the purpose of revising the composition. This right, however, was to be subjected to numerous limitations.

But all these successive concessions gave no satisfaction, so long as the radical ground of opposition remained—the want of a legislative declaration that the tithe might and should be diverted from Protestant religious purposes; and Mr. O'Connell moved (June 28) as an instruction to the committee, "that after any funds which should be raised in Ireland in lieu of tithes had been so appropriated as to provide suitably, considering vested interests and spiritual wants, for the Protestants of the established church of Ireland, the surplus which remained should be appropriated to purposes of public utility." The motion, which was seconded by Mr. Hume, led to another long debate, in which all the usual topics were again urged

on both sides, with the addition of those which had formed the materials of the discussion on Mr. Ward's motion (and the present motion was, in fact, a repetition of it), and of the merits of the commission. Mr. O'Connell disclaimed, in the most express terms, any wish to secure a single farthing for the Catholic church. He averred that its ministers would not accept of such a provision, though it were tendered; and stated that his own popularity had already suffered in consequence of his former unauthorized suggestion, that part of the surplus might be applied to provide the Catholic priests with glebes. He averred that he had made that suggestion, hostile as it was to his own deeply-rooted conviction that there should be no connexion between a church and the state, merely to give government an opportunity of "occupying the gap which he had thus made in his popularity:" but as he could have become unpopular only among Catholics, and Catholics were the parties to be conciliated, Mr. O'Connell should have explained what favour he conferred on government by suggesting to it to do that which all Catholics would indignantly reject, and the very mention of which had injured himself in their good opinion. He pledged himself to give his cordial assent to any amendment, as an addition to his own motion, that no portion of the surplus should go to the support of the Catholic church; but he assigned no reason why a proviso to that effect formed no part of the resolution which he had moved. His view of the matter, he said, was this—that, after the interests and wants of the established church in Ireland had been reasonably and properly

provided for out of those funds, whatever disposable surplus might remain should be applied to purposes of public utility and public charity. There were in Ireland fever hospitals, houses of industry, dispensaries, &c. for the relief and support of the poor. There were poor in Ireland to whom relief could not be given out of the public funds without increasing the quantity of the demands on those funds, and without promoting idleness and other evils that a poor-law system might produce. There were the sick, the aged, the halt, the maimed, who were all fit subjects for relief and for medical aid, and in providing for whose wants a portion of this surplus might be usefully appropriated. Next came objects of public utility, which, of course, included education. He wanted to have this surplus devoted to the purposes of education, not exclusively Catholic, Protestant, or sectarian. A declaration such as this might render tolerable for a little longer even the aggravation of the existing misery and oppression which the proposed bill would produce—for that bill indubitably would aggravate all the evils under which Ireland laboured. Even a possible reduction was delayed for five years—an act of insanity, for, in the present state of Ireland, five years was a century in her history. During five years the full amount of tithe was to be exacted by the king, as collector, and the whole power of the state, civil and military, as his instruments. At present the clergy or tithe owners could only distrain for their demand; but pass this bill, and parties could have an extent, seize the land, goods, and body, and break in by open violence

on the sanctity of private dwellings by day or night. All advantages were to be accumulated for the collection of tithe or land-tax. It was made a crown process—an extent was to be issued—a receiver put on the property. How would this affect the unfortunate tenant? In Ireland the nominal was much greater than the real rent-roll, and when a receiver was appointed under this bill, he must insist upon the last farthing. The links of society would be torn asunder—the receiver become a rack-rent inquisitor and torturer, who extorted the last farthing from the wretched peasant. According to chancery practice, abatements were made when the rent was too high, but this bill did no such thing. If it were to permit such a process, what a despotic power would it give over the landed property of individuals! Talk of a corrupt Parliament! What influence could be equal to a power which enabled the government to tamper with so many men's estates? Every November there would be certificates at the treasury of the amount which the clergy were to receive. Government must pay that sum—perhaps 500,000*l.*—while it could probably collect only 30,000*l.* Last year 28,000*l.* were laid out directly, and more than 30,000*l.* indirectly, in the shape of wear of military accoutrements and removal of troops, to collect 12,000*l.* Having levied that amount of tithes, the process was found to be rather expensive, and was stopped. Would the case be mended under this bill? You would have 500,000*l.* to pay, and your collections might amount to 30,000*l.* with the aid of horse, foot, and artillery. Even if the entire 500,000*l.* were collected, it

could only be so by a war of extortion and extermination, and by skirmishes in every field. The very least, therefore, that ministers could do, since they would not grant immediate reduction, was to give the people that ground of consolation which his motion contained, by conceding the question of appropriation. The late schism in the cabinet justified him in believing that this was their intention. They must have felt the value and importance of the talents of the late colonial secretary; it could not be for nothing that they had parted with him, and it was not on slight or trivial grounds that he would have retired. He had left them on a question of principle, and he had openly declared his principle, and adhered to it at the expense of office; and if ministers now kept back from distinctly announcing their own principles, would it not be said that they had none, and that they had got rid of him because, being a man of principle, he was an inconvenient colleague for them who had no principle. What he wanted then was, that the government would speak out,—that they would not allow it to be said of them that they were timid, creeping, crawling creatures, who, for the sake of the dirty tenure of place and office, had flung away the only men of principle among them, while they would not attempt to assert their own. They might depend upon it that such would be the universal opinion regarding them, if they did not give on this subject an explicit pledge, such as that contained in the resolution which he now moved.

Some of the more violent among the adherents of Mr. O'Connell

himself opposed his resolution, because it was irreconcilable with their great principle of the total abolition of tithes. Ministers did not express opinions very consistent with each other, or with those which some of their colleagues had announced in the house of lords ; but they all objected to the motion itself that it was an unnecessary assertion of a mere abstract principle, that the issuing of the commission sufficiently announced the intention of government, and that its inquiries were absolutely necessary to enable parliament to commence the application of any principle. — Lord John Russell went nearly as far as Mr. O'Connell. He thought, he said, that those purposes of education and charity which, though not mentioned in the resolution of that gentleman, had been noticed in his speech, fairly came within the scope of legislation, when the results of the commission should be obtained. The revenues of the Irish church ought not to be diverted from their present uses, for the purpose of endowing the Catholic church ; but he saw nothing wrong in appropriating a part of them to the purposes of education, which, while being of a religious and moral nature, would likewise be such as to allow Catholics, no less than Protestants, to partake of its benefits. Into the question whether parliament had a moral and equitable right (for the legal right no man would deny) to appropriate the church revenues to secular purposes, he would not enter ; because it was a question not likely to arise, for he anticipated that the uses, to which he had alluded, would exhaust any surplus revenues of the Irish church, and certainly were the uses for which

these funds had more especially been set apart.

Lord Althorp thought, that a sufficient proof of the intentions of government might have been found in the fact of Mr. Stanley and his friends having been allowed to retire on a matter of principle, which would not have led to their retirement, if what *they* were willing to do had been consistent with what government was prepared to do. Government had not merely declared, that parliament had the right of appropriating to other than purely church purposes such portions of the church revenues as might be more than the benefit of the Protestant population required, but had further declared—and had taken measures to give effect to the declaration—that it was the duty of the legislature to consider whether there might not be a more beneficial appropriation, after it should have been ascertained, not what revenue the church of Ireland possessed, but what it possessed more than sufficient for its purposes. All this was done by issuing the commission. In doing so ministers had gone further than the abstract proposition now before the house, which was nothing more than the motion of Mr. Ward in another form, and ought to be rejected for the same reasons.—Mr. Ellice avowed that he scarcely knew in what he differed from Mr. O'Connell, except perhaps in so far as he had employed the words “purposes of public utility,” a phrase which would include the making and repairing of roads, the building of bridges, and many other purposes of a similar public nature, and of which, therefore, some explanation ought to have been given. But why not allow the government time to

obtain the necessary information, and prepare and mature rational measures—why hurry them on with such fruitless rapidity? He would not have joined the administration, if he had thought that its members differed in opinion as to the right of parliament to interfere, or that there would be the least hesitation in applying surplus ecclesiastical revenue to ends not dissimilar to the purposes for which they had been designed.—Mr. Spring Rice, the successor of Mr. Stanley at the colonial office, was more guarded. Government, he said, when it had once fully informed itself whether, and how far, the wealth of the Protestant church was disproportioned to the number of its members, would propose to parliament the application of the surplus funds to other but kindred uses. If he was asked what these uses might be, he would answer, they were not now called upon to specify them. He owned, that he had notions upon this point, which he had often stated, and was ready to state again, and if wrong, to renounce. But it was premature to enter into that discussion now, because it could not lead to any practical result. The measure of the surplus must be the wants and necessities of the Protestant church of Ireland, for he would not consent to apply the surplus otherwise than for the religious instruction of the Protestant population. The government had been asked—“Why do you not pass this resolution?” His answer was—because he had no evidence whereon to pass it as a parliamentary resolution, and he could not agree to it as an hypothetical case. If he were to proceed on his own belief, and indeed on his

own knowledge of Ireland, he should say that there was an excess of wealth belonging to the church of Ireland and that it was for her interest, that that excess should be diminished; but was his knowledge and his belief sufficient ground for a solemn decision of parliament? One gentleman told them that there were 2,000,000 of Protestants in Ireland? Another, that there was only half that number. Was it not material that they should know precisely how the fact stood? He objected to this resolution because it was undefined,—because it was hypothetical in its form,—because it was interpreted by one member in one sense, and by another member in another sense,—and because it had even been taken in a mischievous sense by a large party in the house. He should prefer a resolution pointing out a distinct mode of appropriation, to one which asserted a general and undefined control over the revenues of the church.

Sir Robert Peel, after re-stating his objections to the commission, proceeded to show that it was altogether unnecessary; that, on every head which it comprised, the fullest information had been already accumulated; and that to send it to Ireland to commence a new inquiry, which, if properly gone about, could not be terminated in less than four or five years, was the greatest delusion ever practised on the country. He could conceive no reason why ministers should have issued the commission, if it was not for the sake of postponing the decision on this subject, which they were now competent to make. Could it be for the tranquillity of Ireland to keep a question of this kind in

abeyance, and employing every manœuvre to evade a determination upon it? “You say that now, at last, you speak out,—I deny that you speak out. I say that the opinions delivered by different members of government on this subject are at variance with each other. Every opinion I have yet heard from them leaves me in doubt as to the ultimate intention of the king’s government; and that being the case, I do not see why you should unsettle the country to its core, by declaring that, if you shall find hereafter that you have a surplus beyond what is wanted to maintain the Protestant church, you will devote it to other purposes. Why not reserve that declaration until you have ascertained the fact to which it is to apply? At one time you say that your principle is in your commission. I look at your commission, and find it headed—what? A commission for inquiring into the propriety of an appropriation of the revenues of the church of Ireland to secular purposes? No, but a commission for inquiring respecting the state of religious and other instruction now existing in Ireland. At another time you say, wait for our principle till we declare it. The new secretary for the colonies is full of information, he is fraught with practical knowledge of Ireland, and he has made up his mind as to the principle on which he will act; but instead of telling us what that principle is, what is the course which he thinks proper to pursue?—why truly he selects our trusty and well-beloved Thomas Dooley, serjeant-at-law, Thomas Lister, John Wrottesley, George Barrett Lennard, Edward Carleton Tuffnell, and several other learned gentlemen, to make certain in-

quiries which must be completed on the spot before the principle can be determined. The Chancellor of the exchequer says that, if there is a surplus, he will devote it only to moral and religious purposes. Then he must contest the right of parliament to devote it to merely secular purposes, (lord Althorp expressed dissent from this.) No! what then is the meaning of his saying that he will apply it only to moral and religious purposes? How does this property of the church differ from other property, as for instance, property possessed by corporations? If it differs from other property, then I do not see why parliament should not have a control over it. I can understand the man who tells me that he considers all property as sacred. I can understand the man also who says, ‘If I can promote the doctrines of the gospel, I consider myself at liberty to promote it by another distribution of the revenues of its ministers than that which was originally contemplated.’ But I cannot understand the man who tells me that he respects the right of property, and yet diverts the property of the church from ecclesiastical purposes to what he is pleased to call moral and religious purposes. I can understand the noble lord if he says, that the revenues of the church are given for religious purposes, and that he will therefore apply them to the maintenance of the Catholic religion; but ‘no,’ says he, ‘the object, which I would exclude in the appropriation of the revenues of the church, is the Catholic religion.’ How narrow, then, is the ground on which he takes his stand! Appropriate the revenues of the church to New South Wales? He says ‘it would

be little less than sacrilege to do so.' But if parliament has a right to appropriate the revenues of the church at all, why has it not a right to appropriate them if it pleases to the benefit and improvement of New South Wales? I see that you gentlemen who pride yourselves on speaking out, as you call it, do not even understand the distinctions which you yourselves draw. For my life I cannot understand you." He did not anticipate the existence of a surplus of any moment. Even on the principle of paying all benefices equally, a principle which he utterly repudiated, he doubted if each living would have 300*l.* a-year. But there would have been less danger in the government declaring their opinion that a surplus did exist, and that they were prepared to appropriate it, and preserve the remainder, than in their present mode of dealing with the subject, leaving the question open, and not exerting themselves to arrest the progress of destructive opinions, or lead the public mind, by an authoritative declaration of their own. Instead of doing so, ministers had unsettled the minds of men as to their ultimate object. In November next this property must be collected either by the church or the government. What was then to be done? The difficulty they might have to contend with would have been obviated by a declaration in defence of church property, and the expression of the determination to abide by the principle. When they said that they might hereafter change their opinions and appropriate the surplus to other purposes, men would naturally say "we were content to abide by the laws which protect and recognize your

property; but if you give them up, and go the length of spoliation as regards the church, we see no harm in following your example in other matters." Church property was protected by law, by prescription, by positive stipulation; and if evils should now ensue, and difficulties arise in its collection, he held the king's government chargeable for the spoliation or injury which might be sustained, and for all the results of their present course.

Mr. O'Connell's proposed resolution was lost by a majority of 360 to 99; and on the 30th of June the order of the day was moved for going into committee. But this step, too, was prefaced by the announcement of new and extensive alterations in the bill, affording another proof that ministers were not proceeding on any fixed principles or determinate plan. The first change arose, Mr. Littleton said, from the aversion of the landlords to have their property compulsorily made liable to a land-charge without the power of redemption. It was proposed, therefore, to offer an inducement to the imposition of voluntary rent-charges, by enacting that, in any case where the owner of the first perpetual estate in the land should be willing to subject his estate to a rent-charge in lieu of land-tax, and should declare his intention to that effect before the 1st of November, 1836, the land-tax should then cease, and his property should become liable to a rent-charge, which should be a sum equal to the interest at three and a-half per cent on the amount of the land-tax multiplied by four-fifths of the number of years' purchase which the land might be fairly worth. He thought that the land-owners should be subject to no greater

interest than three and a-half per cent on the amount of the land-tax thus determined by the proportion of years' purchase of the land, but that the difference (constituting the bonus to the landlords) between the amount of the rent-charge and the amount of the land-tax should not be less than twenty per cent, or more than forty per cent on the amount of such land-tax. This would afford a considerable bonus to the land-owners. The amount of the compositions would be paid by warrant, as originally proposed, to the tithe-owners; subject to a deduction of twenty-two and a-half per cent on the amount of so much as might be thus converted into rent-charge. The difference between the bonus given to the landlord, and the deduction made from the tithe-owner, would produce a considerable deficiency in the funds accruing to the commissioners of land revenue. This deficit it was proposed to make up, in the first instance, from the consolidated fund, and to repay it from the perpetuity purchase fund in the hands of the ecclesiastical commissioners under the act of last session. The amount in hand from the sale of perpetuities was 60,000*l.*, but the whole fund would produce 1,200,000*l.*, and would yield at three and a-half per cent, an annual income of not less than 42,000*l.* In all cases where a rent-charge should not have been voluntarily created before the expiry of five years, a rent-charge equal to four-fifths of the land-tax would be compulsorily imposed. It was not intended that the landlord, whether the rent-charge was voluntary or compulsory, should have power to levy more from his tenants than he himself actually paid.

Mr. O'Connell taunted ministers with their weak and vacillating conduct, and insisted that the house should not go into committee, till the bill, with these new clauses, had been printed. It was plain that ministers to the present day, were not agreed as to their plan, and it was too much to require of the house to discuss it immediately on the announcement of such a total change in the measure. The bill was no longer the same. It had been altered again and again; eight additional clauses, not originally contained in it, had already been inserted; and now came a fresh quantity of new matter. Familiar as he was with the subject, he was not sure that he understood the statement just made; and he was quite sure that nine-tenths of the members could not possibly understand the bill on which they were now asked to go into committee. — Mr. Littleton asked the committee to proceed, because the new matter now proposed would not come under discussion till they had reached the 122nd clause of the bill, before which time there would be sufficient opportunity for considering it; but Mr. Stanley and Mr. Shaw joined Mr. O'Connell in thinking that some postponement was reasonable and necessary. Mr. Stanley considered the bill, as it was now proposed to make it, so exceedingly different from the one which had been originally introduced, in consequence of what was omitted as well as of what had been inserted, that he could hardly conceive it possible for those, who had voted in principle for the latter, to support the former as the same bill. The great object of the original measure had been to extinguish tithe by converting it into

a land-tax, making it payable by the landlord, giving him the power of redemption, and imposing upon government the inconvenience of collecting it. But, by the bill as it now stood, the burthen was left with the landlord, while the main objects of the former bill, and the privilege of redemption were taken away—a manifest departure from the great principles of the plan. There was some proposal, not very easy to follow, to induce the landlord to become a party to a voluntary rent-charge. Formerly fifteen per cent had been held out as an inducement, but now it was to be from twenty to forty per cent — undoubtedly a monstrous bonus, to be enforced by a most summary proceeding. It would, at least, be more decent to give time for the great alterations in views and the deviations from the principles formerly adopted to be deliberately considered, after the bill should have been again printed and put into the hands of members. This proposal (Mr. O'Connell having wished a delay till next session) was acceded to, and the committee was postponed.

On the 4th of July, the house having gone into committee on another bill connected with the Irish church, Mr. Littleton and Lord Althorp explained more in detail the mode of fixing the bonus to be given to the landlords who submitted to voluntary rent-charges and the financial effects of it on the consolidated fund. The bonus was to arise from the manner of fixing the amount of the rent-charge according to the value of land, namely, by multiplying the amount of the land-tax by four-fifths of the number of years' purchase which the land might be worth,

and taking the interest of the product at three and a-half per cent. The bonus would, therefore, vary from twenty to forty per cent. Thus, in counties where the land was worth twenty-eight years' purchase, the land-tax being multiplied by four-fifths of that number of years, and three and a-half per cent being allowed upon the amount, the result would be 78*l.* 8*s.* per cent, leaving a bonus of twenty-one and a-half per cent to the purchaser. In counties where the land was worth twenty-five years' purchase, the land-tax being multiplied by four-fifths of that, and three and a-half per cent being allowed on that amount, the result would be 70*l.* in the hundred, giving a bonus of thirty per cent; and in counties where land was worth twenty years' purchase, the land-tax being multiplied by four-fifths of that amount, and three and a-half per cent being allowed upon it, the result would be 56*l.* in the hundred, leaving a bonus of forty-four per cent. In the last case, however, the bonus would not rise higher than forty per cent, as a limitation would be introduced into the bill, that the bonus should never be less than twenty nor more than forty per cent. What sum it might be necessary to advance from the consolidated fund for the purpose of supplying the deficit thus created, could not be accurately fixed, because it depended on the length to which these voluntary compositions might be carried. It was not anticipated, however, that the amount of the bonus payable in the course of the year, for ecclesiastical tithes, would be more than 100,000*l.* To meet this, there was the perpetuity fund in the hands of the ecclesiastical commissioners, estimated at 42,000*l.*

a-year, and a balance of 25,000*l.* a-year, of the fund arising from the tax on benefices, and placed under their management for general purposes, after these purposes were fully met. These were the only funds to which recourse could be had to make up the deficit; but there was nothing to prevent the house from afterwards considering whether there were not other sources from which the consolidated fund might be remunerated. The interest of the perpetuity fund, and the balance of the general fund, both created by the temporalities' act of last session, would yield, as estimated, only 67,000*l.*; leaving to be made up otherwise to the consolidated fund a sum of 33,000*l.*, in the event, which was considered probable, that it would have to advance 100,000*l.* per annum. This regarded only ecclesiastical tithes. There still remained to be added the payments which it might be necessary to make in respect of lay tithes. There was no fund from which these could be repaid; and there was little doubt that this charge would fall upon the country; but it was not expected that it would exceed 20,000*l.* per annum; thus leaving the consolidated fund a creditor at the rate of 53,000*l.* a-year, with the prospect of the perpetuity fund yielding more than the 42,000*l.* per annum at which it had been estimated. Even the 53,000*l.* a-year, ministers were sure would be considered a low price to pay for the tranquillity of Ireland. The resolution moved by Mr. Littleton was, that it was the opinion of the committee, that, for any deficit which might arise in the sums accruing to the commissioners of woods and forests out of the land-tax or rent-charges

payable for the composition of ecclesiastical tithes in Ireland, for the payment of which the consolidated fund was rendered liable, the consolidated fund should be indemnified from the revenues at the disposal of the ecclesiastical commissioners in Ireland, and out of the perpetuity purchase fund placed at their disposal by the act of last session intituled the Irish church temporalities' act.

Mr. Hume having complained, that he did not fully comprehend the statement, and Mr. Robinson, that it seemed to him, so far as he understood it, that on this, as on most other occasions, the people of England were to pay for Ireland; and Mr. O'Connell, Mr. O'Reilly, and colonel Davies having repeated, that by no expenditure of money in the way which this bill proposed would anything be gained towards the pacification of Ireland, Mr. Stanley immediately attacked the measure and the proceedings of his former colleagues in a very vehement effusion. He must oppose the resolution, he said, because it was impolitic, and because it was dishonest—because it was at variance with the great principle which, for the last three or four years, it had been the object of government to establish—namely, the final extinction of tithes in Ireland by means of redemption; and because it seemed to him to be the commencement of a system of plunder; and that, too, not a system of plunder characterized by the straightforward course which bold offenders followed, but marked with that timidity, that want of dexterity, which led to the failure of the unpractised shoplifter. He had never witnessed anything at all approaching to the principle which the government was now

asking the legislature to adopt, except the practice of a class of persons not received certainly into society, but who were generally, nay, constantly, to be found and met with at country fairs and races; and whose instruments of plunder consisted of a small deal board, and four or five thimbles, and whose art consisted in dexterously conveying or shifting a pea from one thimble to another, while the party, who guessed under what thimble the pea was deposited, in the end found that the result of his speculation was the loss of his property. So the Irish secretary had respectively suggested the church-pocket, the state-pocket, the perpetuity fund—first, the landlord, then the tenant; so that it was impossible to guess under which thimble the treasure lay; and the end of the game would be, that, on taking up all his thimbles, it would be found that the property had disappeared. Mr. Stanley next detailed what the principles and views of the government *had* been, in order to show how completely this altered bill set them at defiance. So early as June 1831, he had himself addressed a letter to earl Grey, stating strongly the evils of the existing system, and the necessity of interfering to prevent the utter destruction of the property of the church, and recommending, first, the extinction of tithes by means of a system of composition, throwing the prospective burthen upon the landlords of the country; and finally, that measures should be taken to allow and enable the landlords to relieve themselves for ever from the burthen by the payment of the amount of the value calculated at a certain number of years' purchase. Committees were appointed, in further-

ance of a recommendation from the throne. The present home secretary, when moving the committee in the other house, said, "that the committee would have to consider whether it would not be wise to contemplate some more comprehensive measure, the object of which would be to place the property of the church on a firmer basis, more advantageous to the clergy, and less grievous to the people, by facilitating the redemption of tithes, and applying the produce, under whatever regulations might be deemed proper to the maintenance of the ministers of religion. The second report of the select committee of the house of Commons, appointed at the same period, proposed, "that in all future times the landlords should be held responsible for the amount of the composition." The committee thought it would be desirable, that while additional obligations were imposed upon the landlords, parliament should hold out facilities to them for freeing themselves for ever from the burthen. The committee also expressed a belief, that the landlords, on favourable terms being proposed, would gladly avail themselves of them, and consent (and that consent ought to be encouraged) to redeem the annual charge on their lands by a fixed money payment. That committee recommended, first, a bill to alter and amend the tithes' composition act, and to render it compulsory; secondly, the establishment of a certain ecclesiastical corporation in Ireland for the collection of the revenue (a corporation which was now rendered unnecessary in consequence of the government having taken the collection into its own hands); and thirdly, a bill to secure the com-

mutation of tithes into an impost upon the land. In 1833, the difficulties in the collection of tithes were felt to be so great and so insuperable on the part of the unassisted clergy of Ireland, that, having established a compulsory composition, government prevailed upon parliament, on the faith of a substantial measure to be afterwards brought forward, to consent to the advance of 1,000,000*l.*, in order to pay to the clergy all arrears up to 1834; it being anticipated that, before that period had arrived, a bill would be introduced for the final settlement of the question. One object of the government had always been to throw the responsibility and pressure on the landlords, leaving them to settle their own terms with their tenants. In pursuance of this feeling, a bill had been introduced two years ago, providing that not only in all future leases should the landlord be held liable for the amount of the tithe composition, but that if the composition was recoverable at all, it was so, not from the tenant, but the landlord alone. This, of course, greatly facilitated the collection of the tithe, by diminishing the number of payers. In one district containing between 16,000 and 17,000, they had been reduced to about 9,500. In fulfilment of this plan, which had been acted on steadily for three or four years, his majesty, in his speech at the opening of the present session, had recommended "the early consideration of such a final adjustment of the tithes in that part of the United Kingdom as might extinguish all just causes of complaint, without injury to the rights and property of any class of his subjects, or to any institution in church and state." These were the words put by

government into his majesty's mouth at the commencement of the session. Here was the principle by which the government were bound, and in conformity with which the secretary for Ireland had introduced a bill—which was not the bill that he now presented to parliament. The original bill contained the means by which it was proposed to carry into effect the sentiments emanating from the throne; but the house was now asked, and in committee too, to adopt a principle diametrically opposite.

First, it had been declared by ministers themselves, when introducing the bill, that its great "aim and object was to find the means of converting, in the quickest manner possible," tithe into land. They had likewise stated repeatedly, that the inclination of the Irish landlords to redeem would greatly depend on the conduct of government towards them. Now, if the landlords found the government determined to vindicate their rights, they would co-operate with it; but if it brought forward a measure to-day, and abandoned it for one of an opposite kind to-morrow, the landlords, instead of redeeming, would despise the imbecility of the government, and it would become difficult to enforce from them even the annual payment. Another great object of the bill as it originally stood, had been redemption—the only honest expedient for settling this question—the only end for which the machinery of the bill had been framed, or which palliated or justified such an interference with the rights of property. But now the redemption clauses were struck out, while all the unjust machinery was retained. Farther, it had been

contemplated to make a deduction from the tithe owner, to indemnify government and the consolidated fund against the expense of collection. But now, in order to make the scheme work at all, the consolidated fund was to be burthened with 120,000*l.* per annum. Reimbursement was talked of: there was not the least chance of reimbursement. About twenty per cent was to be deducted from the tithe-owner, and forty per cent (for that would be the amount in all cases where the landlords were not charged more than seventeen years' purchase) was to be allowed to the tithe-payer, the consolidated fund making up the deficiency. This was thimble-shift the first. A more straightforward course should have been followed; for the present proposition was introducing neither more nor less than a bonus to the landlord of one-fifth of the church property, and a second bonus of one-fifth out of the consolidated fund. In regard to lay tithes, he could not conceive why the state should bear any part of what was exigible on account of them from the payers. Lay tithes could not be considered in any other light than as a mortgage. A gentleman who had a mortgage on his estate might say, "I am a most sincere and conscientious Christian; my mortgagee is a determined Jew. I do not know to what purposes he may apply this money; it is possible, nay probable, that he may build a synagogue with it, and against such a proceeding my Christian feelings strongly revolt. Let me then beg of you to take this mortgage off my hands, and pay my mortgagee twenty per cent less than I am paying him, while I pay you forty per cent less than I pay my mortgagee." Here was

another thimble-shift. He could not conceive one earthly reason for burthening the country without hope of recovery, with what the tithe-payer had, and ought to have, to pay.

And from what source was the deficiency proposed to be made up? From one that could produce only 60,000*l.* a year; so that this petty larceny—for it had not the redeeming quality of bold and open robbery—must, after all, defeat the object of its commission; and yet it was committed to secure the property of the church. A highwayman, with a pistol at your head, demands your money for the security of your life. You might secure this latter object after your pockets had been rifled; but he much doubted whether, after the former robbery had been committed, any security would remain for the church. By the act of last session, the house itself had decided that the perpetuity fund, said now, to amount to 1,200,000*l.*, was church property; and he did not believe that ministers intended to apply it to purposes differing from those for which the legislature had designed it. But why did they not speak out? Let them declare plainly whether they did or did not mean to make all church property answerable. Did they, or did they not, consider the perpetuity fund different from the rest of church property?

To him it seemed clear, that only the temporary convenience of ministers could be served by the impolitic, and yet inefficient shifts, to which they had been reduced in endeavouring to get over the session. For the church, nothing was gained; what was left to her would be just as insecure as what she had hitherto possessed. All

things, in fact, remained in their former position, with the exception that government had committed a robbery on what had been held, and ought to be held, inviolable. Believing that the government was committing injustice, and yet would fail in its end—that the country was against this injustice—and that Ireland, after it had been perpetrated, would not be more tranquil than she was at present—he would take the sense of the committee on the resolution now proposed.

Lord Althorp, who, with the rest of the ministers, seemed to consider this truculent attack from one who so shortly before had been their most redoubtable champion as “the unkindest cut of all,” admitted that Mr. Stanley had justified his anticipations that his genius would have fair play, whenever he became an opposition orator; and that he would make a first-rate opposition speech, in which “timidity,” “imbecility,” “spoliation,” and “robbery” would be among the mildest terms employed. Nevertheless, he did not see how it could be spoliation to take property, not from a corporation, but from a mass of different corporations, and apply it to other purposes, if, in doing this, he was giving security to the church. Neither was it fair to say, with the view of imputing blame to the government, that it was now departing from the principles of former measures. These measures, suggested by the late colonial secretary himself, when Irish secretary, had no doubt been wise measures, and would have served their purpose, if they had been adopted several years ago. But having come too late, they had not been successful; and as Ireland, instead of being con-

tented, was as far removed as ever from tranquillity, it was not just in Mr. Stanley to object to measures of pacification proposed by the cabinet, because they were different from his own. He, lord Althorp, did consider the perpetuity fund to be in some respects different from the remaining portion of the property of the church—different, indeed, not in the sense in which those who brought forward the 147th clause of the act of last session considered it, but as a fund which was new. He did not deny, that the charge which might fall on the consolidated fund was a serious question for the house; but if the imposition of this charge relieved the peasantry from a vexatious impost, and all its miserable consequences, by inducing or compelling the landlords to take the payment of a diminished tithe upon themselves, it would be money well laid out, and would afford a far better chance of restoring tranquillity, than any other measure that could be taken.

Mr. Hume confessed that he found himself very uncomfortably situated—for he would be sorry to vote with Mr. Stanley, in all whose sentiments he could not concur, and yet felt that he could go with him more easily than with ministers, who were ruining their own game by yielding to intimidation; and who “would be loaded like asses, and compelled to bear the burthen, so long as they were pusillanimously subservient.” He believed in his conscience that they were afraid of their late colleague, and he did not wonder at it. He would, therefore, move an amendment, the effect of which would be to re-enact the 147th clause of the act of last session, by substituting for the original reso-

lution the following: "That the surplus monies to the credit of the ecclesiastical commissioners in the perpetuity purchase fund, to be kept by the said ecclesiastical commissioners pursuant to an act of last session of parliament, should be applicable to such purposes, for the adjustment and settlement of tithes in Ireland, as by an act of parliament of this session should be provided." Ministers should either agree that church property was not to be touched at all, or at once manfully declare that it was to be freely dealt with. It was a monstrous proposition, considering that the church of Ireland was assuredly rich enough for its own support, that the country should be called on to make good a deficit which would require a capital of two millions. The course, which government was pursuing, held out to the people of England a premium on the refusal to pay tithes.

Mr. O'Connell admitted, that government was right in departing from the principles of former measures, which, however well intended, had been utterly unsuccessful; but then why did it not come forward manfully, and alter its policy in such a manner as would render Ireland tranquil and grateful? It had been established clearly enough that great alterations had been made in the bill, but not that they were favourable to Ireland. When ministers did struggle to amend the measure, why did they not take their proper position at once, bring in their own bill, and satisfy the people of Ireland of their desire and their determination to do them justice. Feeling and knowing, as they must, the truths he had asserted, why did not the government come

boldly forward and say, "we will deal with church property?" But no—that would be spoliation, that would be robbery. It was ridiculous to talk of spoliation. What was the title of the established church to the property it held?—a most excellent title undoubtedly—the authority of an act of parliament. And yet this was originally an act of spoliation. If they were to trace the titles by which church property in parishes was held—if they were to examine into the grants made by the ancient barons, they would see that they were given in consideration of certain services to be rendered to the donor, at least to the soul of the donor. Masses were to be said for the repose of his soul; but now no masses were said, the conditions of the bequest were not fulfilled, the stipulated services were not rendered. Now, here was the real thimble-rig. In Ireland, however, it was that the thimble-rig had been played in its perfection, for the most decided exploit of this kind was that which transferred the reward from the clergy of the many to the clergy of the few. This had likewise occurred in Scotland; but there the government had been compelled to give way. For fifty years the Scotch used their swords. What was the result? Not that the ecclesiastical revenues were given either to episcopacy, the church of the government, or to the Catholic church, though the more ancient,—but to a new church which the people had raised for themselves; and since that time Scotland had added strength and dignity to the empire, instead of being a perennial source of weakness and alarm. If the government wanted to make

peace with the people of Ireland, let them leave the latter to manage the matter as they best might between themselves and the landlords. They desired no rambling commissions. Let government simply declare that no Protestant clergyman should be maintained as at present, unless in parishes where one-fourth of the population was of that persuasion. Let the revenues of all parishes fall in as the clergyman died or was promoted, where one-fourth of the inhabitants were not Protestant, and they would soon have a fund to draw upon. Meanwhile, let them issue exchequer bills to make up any deficiency which might occur. There would be ample provision to meet those bills. The house would be ready to support such a plan, and if ministers, in the prosecution of it, should meet with obstacles elsewhere, the people would support them.

Mr. Lefroy had given a willing assent to the bill as originally explained, although it diminished the property of the church, because it provided for the removal of the charge by allowing tithes to be redeemed and converted into land, the only mode of establishing peace in Ireland, and the one recommended by committees of both houses of parliament; but to what the bill was now to be he was decidedly opposed, because it would unsettle everything without giving satisfaction to any party.—Mr. F. Shaw said, he must follow the same course, and he characterized the conduct of ministers as paltry shuffling to catch votes. It was for this they were incessantly making declarations of their readiness to enter on the question of appropriation, and yet always evading it. They were sure of a

majority, if they brought forward the question of appropriation; they did not venture to do it, because it would be disadvantageous to them as a cabinet elsewhere; and yet they made speeches night after night to entrap votes, while they themselves voted against motions which ought to have been only the necessary results of those speeches. After abandoning, in the power of redemption, their own principle and the very essence of the bill, they had not the manliness to go forward, but now applied to the English and Scotch members to rescue them, by a grant of money, from difficulties created solely by their own shuffling and truckling conduct.

On the other hand, Mr. Lambert, who had approved of the bill when it was first introduced, and who had afterwards declared that he would give it his most strenuous opposition, now stated that he would support it, since he had seen Mr. Stanley taking the same ground with Mr. O'Connell, and then making common cause with a party whom he himself had formerly designated as the contemptible remnant of an expiring faction.—Mr. Gisborne admitted that the redemption principle had been a very valuable part of the bill, and he hoped that, although postponed, it would not be done away; but he did not see the same necessity for investing so large a sum of money in land, while there were other securities, such as the funds. They should address his majesty never to create another Irish bishop, and to withdraw a regiment on the death of every bishop, and a battalion on the death of every dean, thus equalizing the reduction of the ecclesiastical and military establishments, and rendering the

government of Ireland much more easy. He wished the amendment to be withdrawn, in order that support might be given to the present government, although they might not go so fast as some desired, under the same reservation which he himself made as to their future intentions. — Mr. Sheil, however, maintained it was idle to talk of purposes, inclinations, and future intentions. He would not use entreaty with government. Their antagonists had applied something much stronger than entreaty. If any thing could stimulate their lagging pace, it was the taunts, amounting almost to contumely, which they had been compelled to hear from their avowed enemies, and from those who still affected to be their friends. Would ministers give up “ecclesiastical purposes,” or were they still adhering to the principle on which they had sacrificed the 147th clause of the bill of last session—a clause which left it in the power of parliament to apply the surplus fund to any purposes whatever?

Sir Robert Peel said, the resolution proposed to the house embodied two principles. The first was, that the public should contribute a certain sum to make up the deficiency which would arise in the contributions of the Irish landed proprietors. There was to be an absolute charge on the public purse, for which there was no prospect of any remuneration, to the amount of 60,000*l.*; and to that he most distinctly objected. Another principle involved in the resolution was, that, by way of providing a partial compensation to the public revenues for the amount to be contributed, the fund set apart by a solemn act of the

legislature last session of parliament, on the faith of which their assent had been called for to most extensive changes in the Irish church, should be diverted, and that the bill passed in 1833 should be violated in 1834, thus tending to shake all confidence in the decisions of his majesty’s government and of the legislature. To all this he further objected, because it rendered the matter open to much greater objection than the very same measure brought in by government in February last. Their rallying cry last year had been the extinction of tithes; and they began this session by introducing a measure which contemplated their extinction by means of redemption. But they now departed from that principle, and were going to make tithe a permanent charge in Ireland under the name of a rent. What was the distinction? They had borrowed the plan of the member for the city of Dublin; and having stolen his child, like other plagiarists, as Sheridan said, they attempted so to disfigure it as to make it impossible for the learned gentleman himself to recognize his own production. And how well they had succeeded! They had been licking, and hacking, and cutting the unfortunate bantling which had been produced only a few weeks since, so that in point of fact Mr. O’Connell could not be made to own it. But the chancellor of the exchequer said, “pay this out of the consolidated fund, and do not refuse to provide future peace and tranquillity for Ireland by refusing the paltry sum of 60,000*l.* What shadow of argument had he brought forward, that, if he fastened a permanent rent-charge on Ireland, which the landlord was to pay, there would,

as the necessary consequence, be permanent peace and satisfaction there. (Of all vulgar arts of government, that of solving every difficulty which might arise by thrusting the hand into the public purse was the most delusory and contemptible. It had in all times been considered the symptom of decay in government, when they had neither the manliness to enforce the law, nor the courage to stand on ancient rights. One year they proposed 60,000*l.*, another 1,000,000*l.*, and a third 59,000*l.*, and their language was, "advance us this for the sake of peace" but they called "peace, peace, when there was no peace." To consent to redemption could alone give a chance of peace.

Sir Robert then proceeded to show that all evidence, as well as reason, was in favour of redemption. He would not give them the evidence of tories or high churchmen; but the testimony of archbishop Whately, their peculiar confidant, a member of the poor-law commission, and of the ecclesiastical commission, if not also a member of the new Irish church commission: he must be a high authority on the subject of redemption; and was the lord-lieutenant of Ireland nothing? The evidence of lord Wellesley and of Mr. Blake, the Roman Catholic, and of lord Lansdowne, was decidedly in favour of redemption as compared with a rent-charge. All argument, too, showed that this was the only way securely to effect the ultimate extinction of tithes. But while the bill of February last facilitated that object, the present bill postponed the matter indefinitely, and went, indeed, directly against it. The question

was not whether it should be vested in land; they might sanction redemption without applying it to that purpose. Land was no doubt preferable as an investment, because it gave additional security; but it did not necessarily follow that the investment in land would conclude for ever the question of the church revenues. They had moved resolutions to the effect that, to whomsoever church property belonged, and whatever control the legislature might have over it, at all events the landed proprietor had no right to it; they had claimed for parliament the power to make a new appropriation, but had admitted, at the same time, that the landlord must continue to pay the full amount. On what principle was it then, that now forty per cent was to be given up to him. In the present state of tithe, it was possible to take one of these steps. The first was, to contend for the perfect inviolability of church property, the state if it pleased adopting, possibly, a different distribution of it—which was the course he was prepared to recommend. The second course was to hold that the establishment was too amply provided for, and that, therefore, a different appropriation of its revenues should be recognized, which was the course of the mover of the amendments; and the third course was, that of those who said, "we are not prepared to affirm either the inviolability of church property, or our right to interfere with it." Ministers had taken the last of these courses; till a commission had made a report, not a word was to be whispered regarding the purposes to which church property should be applied. The chancellor of the exchequer, who, not three nights ago, was for limit-

ing the surplus to moral and religious purposes, now declared himself prepared to sanction at once the principle of the 147th clause, or rather to go far beyond it, adopting a new principle—that it should be applied to secular purposes. (Lord Althorp here said, “no; not to secular purposes.”) Not to secular purposes! What did he mean by giving forty per cent to the landlord? was that a moral and religious purpose? What a mockery was all this! The bill of last year, sanctioned by the chancellor of the exchequer, which enacted the consolidation of certain bishoprics and the annihilation of ten others, had thereby provided a fund, and the preamble of the act declared to what purposes it should be applied. It was the noble lord’s own act; the 147th clause was struck out of it, and the assent of another branch of the legislature was thereby secured. But what said the preamble?—“Whereas the number of bishops in Ireland may be conveniently diminished, and the revenues of certain of the bishoprics as well as the said annual tax applied to the building, rebuilding, and repairing of churches, and other such like ecclesiastical purposes, and to the augmentation of small livings, and to such other purposes as may conduce to the advancement of religion, and the efficiency, permanency, and stability of the united church of England and Ireland;” and then it was provided, that monies should be advanced for building churches, and effecting the other recited objects. Well, that act of parliament passed in 1833, tithes having been suspended in the interval; and now, without a shilling which they could apply for the advancement of re-

ligion, the very first act which government had recourse to was, to lay hold on the first dawning of an appearance of a fund, and appropriate it to the Irish landlords. So long as they went on in their present course, varying their own acts from day to day,—saying, on the first of a week, that their own mind was not made up as to a surplus, and not, of course, prepared to deal with it, and that if such a fund should present itself, it should be applied to moral and religious purposes, and on the last day of the week, without the report of the commissioners, determining the existence of a surplus, and consenting to apply it to purposes so entirely secular as to make up the contributions of the Irish landlord—while they pursued such a course, they might, no doubt, please those who sought the destruction of the church, but they would never attract the confidence of any sober-minded body worthy to exercise legislative functions, far less secure peace and tranquillity in Ireland: for he would affirm, without the least hesitation, that, at the present moment, there was as little chance or prospect of effecting a peaceable and satisfactory extinction of tithes as at any period within his recollection. He could not disguise it from the house that there must be reasons for the course which government were now adopting, which did not appear on the face of this bill. As he had said before, in his conscience he believed that the late commission had been appointed for the purposes of delusion. It had answered all the ends which it had ever been intended it should answer; and the chancellor of the exchequer, without waiting for it, was ready even now to deal with

the principle of appropriation. He believed that the cause of the vacillation which ministers had shown on this subject was, not that they preferred the system of July to that which they had advocated in February, but because they considered it more likely to conciliate the votes of those on whose support they relied, and who had avowed their enmity to the Irish church.

Lord Althorp defended himself against the charge of inconsistency in supporting the present measure after having sanctioned the bill of last session, by saying, he had expressly declared on that occasion that the bill then passed would not affect, in his mind, the question of the appropriation of church property. But this answer did not meet the charge of sir Robert Peel, which regarded only the proceeds of such property as that enactment had placed under the management of the ecclesiastical commissioners. That act bore that these proceeds should be applied to ecclesiastical purposes; while the present bill provided, that they should likewise be applied towards reimbursing the public treasury for money which it might advance in a present to Irish landlords.—In answer to sir Robert Peel, lord John Russell contended that, considering the state of tithes in Ireland, and the public feeling regarding them, it would have been vain to think of collecting them, unless a pledge had been given as to their appropriation: but the very complaint against ministers was, that they had given no pledge—that they had studiously evaded any declaration of the objects which they intended to include in a new appropriation. His lordship admitted,

VOL. LXXVI.

that the other measure, which had been introduced on the subject of tithes, aimed at their reduction and final extinction; but within what interval? Surely not within such an interval as the present circumstances required. By the plan proposed by the government, arrangements would be made enabling all persons possessing an estate of inheritance to relieve their lands from the burden of tithes before the end of the year 1836, and, for an advance of from between 30 to 40 per cent, they would be enabled to get rid of the odious and vexatious burden of tithes. If the proprietors did not come forward and ask the redemption of their tithes, no sacrifice would be made; and whenever payments were to be made out of the consolidated fund, they went to the proprietor of the land, and, in effect, were reimbursed. Thus would an odious tax, and a system of violence and blood, both be terminated at the same time. The plan of redemption was not altogether abandoned; on the contrary, government wished to see it carried into effect to a very considerable extent. He should, in a word, sum up the principle upon which his majesty's government proceeded in the matter: it was, that they had not, and would not, affirm the application in perpetuity of all the revenues of the church to the purposes to which they were at the present moment applied. He was not one of those who desired to see the established church maintained in Ireland, in the vain hope that at some distant time the great body of the Catholic population could be brought to sounder views of Christianity. That most assuredly must be the belief and expectation

[H]

of those who pushed the extreme rights of the church to the length to which the right hon. baronet opposite had urged them. But as no expectation of that kind entered into his mind, he could not do otherwise than oppose such views. He could not, for the sake of remote, and, as he considered, visionary prospects, continue the warfare and blood which for so long a period had desolated Ireland. If the right hon. baronet were to hold the place, which he once did, in the councils of his sovereign, no man, who knew the circumstances of the two countries, could for a moment hesitate to say, that, at the end of two or three years, he would find himself under the necessity of coming down to that house, and abandoning a course which, for the time, consistency would compel him to adopt, but which would prove alike painful to England and intolerable to Ireland.

Mr. Littleton, in his reply, accepted, he said, in good part, the designation of a "thimble-player," coming, as it did, from one who, by his experiments on the Irish tithe laws, had undoubtedly earned the character of as great and skilful a performer of legerdemain as ever lived. He did not mean to use the words in any offensive sense; but it was impossible to bear in mind the part taken by Mr. Stanley in 1831 and 1832, down to the period of his quitting the office of Irish secretary, without feeling that no individual had exhibited more ingenuity, played off a greater number of tricks, or more signally failed. He mentioned this, not as a reproach to his right hon. friend, whose measures in reference to the Irish church he had himself supported, but merely for the

purpose of observing, that animadversions on the part he had, perhaps he might say the misfortune, to take, came with a particularly bad grace from one who had himself experimented so largely and unsuccessfully upon Irish tithes. The member for the university of Dublin had solemnly predicted, that not a farthing of the sum which might be advanced from the consolidated fund would be recovered. The same member had predicted with equal solemnity, that the clergy would not pollute their fingers with a farthing of the money voted last year; yet, within a month of the expiration of the period for delivering in memorials, the castle-yard of Dublin was crowded with clerical gentlemen pressing forward to make their claims. He would tell the committee one short story, from which they might conjecture the state of things more generally. A clergyman, who was also a lay impropriator in the south of Ireland, was thus circumstanced. The tenants were indebted to him in the sum of 2,900*l.*, and for seven weeks he had a large force of military and police engaged in attempting to collect the amount. After being employed a considerable part of the time in the attempt, they found it quite useless to proceed in the daytime, because, an alarm being invariably given on their approach, the cattle of the tithe defaulters disappeared, and there was no getting at them. It was then determined to attempt the seizures at night, but every Irish cottager had his dog, and the tramp of the horses was heard at a distance, an alarm was given, the people rose, and the cattle were driven into the houses, where it was not possible for the law to

HISTORY OF EUROPE.



reach them. This individual wrote to the Irish secretary's office, requesting that a statement might be submitted to the lord-lieutenant, setting forth that, after all these unavailing efforts to recover tithe, in the course of eighty days, the average amount collected was but 8*l.* a-day. This gentleman declared his conviction that, unless the military were encamped over the entire district whence his income arose, there would be no possibility of starving the cattle out. He should not have noticed this matter thus publicly, if he did not feel it to be his duty to give hon. members a sample of what had frequently occurred in Ireland, in order to show the folly of persevering in the present system. The abandonment of the redemption clause, and of the investment in land, had been objected to. If the investment in land was abandoned, the redemption clause must also be given up, in the present state of the money-market. He thought that if an investment in land could be avoided, they were bound to avoid it. The majority of Irish landlords objected to it, and it was also objectionable on account of the political influence which it would confer on the church. He did not mean to say, however, that government would not have adopted the other course, if it had not discovered another resource for the tithe-owner in the shape of a rent-charge. The late colonial secretary had likewise inveighed strongly against the commission which had just been issued, describing it as a "miserable abortion;" but in a speech delivered by him in 1824, on a motion of the member for

Middlesex, he had thus expressed himself, after stating that the wealth of the Irish church had been grossly exaggerated:—"He could state, in conclusion, that many of the highest dignitaries of the church of Ireland were anxious that an investigation should take place, not partial in its bearings, and that the whole of their political and moral relations to the country should be brought under view. He hoped ere long that some such inquiry would take place, that some commission would go forth, to view, with their own eyes, impartially, and on the spot, the bearings of the church establishment on the condition of Ireland." Here was an accurate description of, and, as it seemed to him, a sufficient authority for, the appointment of the Irish church commission.

The division on Mr. Hume's amendment gave seventy-one in its favour, and 354 against it. The committee then divided on the original motion, when the resolution of ministers was carried by a majority of sixty-four, there being 235 for it, and 171 against it. At this stage, however, the progress of the bill was arrested for a time by circumstances to which it is now proper to advert, as they were calculated, by their moral and political effects on the composition of the government, and on the relations of parties, to exercise a strong influence on the spirit of all subsequent measures, and on the power or inclination of the ministers to resist dangerous demands, or adopt a decided and independent line of policy.

CHAP. III.

Bill for renewing the Irish Coercion Act introduced into the House of Lords—Private correspondence of Members of the Government with the Lord-Lieutenant of Ireland—Bill read a second time—Attacks of Mr. O'Connell against ministers on account of the Bill—Secret communications made to him by Mr. Littleton regarding the opinions and intentions of the Government in relation to certain Provisions of the Bill restraining Public Meetings—The Cabinet determine that these clauses shall be retained.—Disclosures made in the House of Commons by Mr. Littleton and Mr. O'Connell—Mr. Littleton tenders his Resignation, which is refused—Debate on Motion to refer the Papers on the State of Ireland to a Select Committee—Mr. O'Connell gives notice of a Motion for production of the correspondence with the Lord-Lieutenant—The Chancellor of the Exchequer resigns—In consequence of his Resignation, Earl Grey resigns—Explanations by these Ministers as to the Causes of their Retirement—Viscount Melbourne made Prime Minister—Lord Althorp withdraws his resignation and continues in office as Chancellor of the Exchequer—Coercion Bill withdrawn in the House of Lords, and discussion thereon—Debate in the Lords on Motion for production of the Lord-Lieutenant's letter.

IN the preceding session it had been found necessary to pass what was termed the coercion bill, by which the government was armed with extraordinary powers to encounter, and, if possible, to put down, the insurrectionary violence and combination which covered Ireland with crime and confusion. The act was to expire in August of the present year, and ministers had determined to propose its renewal. According to the statement made in parliament by lord Grey, when he moved the first reading of this bill for that purpose (July 1st), it had been found both necessary and effective... Four districts had been proclaimed; the city and county of

Kilkenny; five baronies of the King's County; four baronies of the county of Westmeath; and the baronies of Longford and Leitrim in the county of Galway. The first two districts had been proclaimed on the 14th of April, and the immediate effect was a great diminution in the number of offences. The number of offences in Kilkenny county between April 1832 and 1833 had been 590; between April 1833 and April 1834, only 331. In the four baronies of King's County, the number of crimes reported during the month of March 1834, had amounted in all to seventy-three; of which twenty-three were attacks upon houses, fourteen were illegal meet-

ings, ten appearing in arms, and seven for administering illegal oaths, making a total of fifty-four offences of an insurrectionary character. During the subsequent month, the number of crimes reported was only eight, making a diminution of sixty-five upon the whole, and of forty-six upon crimes of an insurrectionary description. In the proclaimed baronies of the county of Westmeath, the crimes during April were twenty-one; the district was proclaimed on the 14th of May, and during that month the crimes were only three. Letters containing inquiries as to the expediency of renewing the act had been addressed by the Irish government to the inspectors general of police; and all the answers contained assurances of the benefits which it had produced, and urgently pressed on the government the necessity of renewing it. It was determined, however, not to renew those parts of the bill which provided for the trial of offenders in certain cases by courts-martial; government being of opinion that this part of the existing law, which had never been acted on, might be dispensed with.

But there were other provisions in the bill, which the agitators of Ireland viewed with still greater dislike, because they interfered with the working of their own engines of influence and agitation. These were the powers which the act conferred to prevent the holding of meetings of a dangerous character, or so conducted as to be injurious to the public peace. It was by these meetings that the leaders of the Catholic party were enabled to work on the ignorance and passions of the multitude; it was there that they recommended and en-

couraged combined resistance to the law; it was from these sources that the troubled waters of discord and rebellion went abroad over the country. To escape from these restrictions was to O'Connell and his followers an object of much greater importance, than that the lower disturbers, whom they misled, should be tried only by the regular tribunals of the country. That a peasant should have the benefit of a jury, or of an investigation by a civil magistrate, availed nothing, so long as the corn exchange was not suffered to re-echo with the inflammatory harangues of the member for Dublin. The lord-lieutenant of Ireland had recommended that the whole act should be renewed, with the exception of the clause relative to the courts martial; but on the 23rd of June, lord Grey received from him a letter, which suggested that the clause against public meetings might likewise be dispensed with. What influence or suggestions had been brought to bear on the marquis Wellesley, in order to induce him to this change of opinion, became afterwards the subject of much discussion. Members of the cabinet, without the knowledge of lord Grey, had been corresponding with the marquis. The object of these communications had been, not to insure more certainly the tranquillity of Ireland, but to smooth the way of ministers in the house of Commons by concessions to O'Connell and his adherents. Lord Grey stated in the house of Lords (July 9th) that the letter in question appeared to have been written by the lord-lieutenant, not so much from any original view of his own regarding the state of Ireland, as from certain considerations suggested to him by

others, which affected the political state of England, and which had been conveyed to marquis Wellesley without the knowledge or privity of the head of the cabinet. Lord Grey, who dissented entirely from these new views, immediately wrote to the lord-lieutenant to reconsider the matter, and to take nothing into account but what was necessary and fitting for Ireland. Some correspondence followed, the result of which was, that marquis Wellesley expressed an opinion that, if it would promote the accomplishment of other objects, the clauses regarding public meetings might be omitted, without endangering the safety of Ireland, and more particularly if, by means of the omission, an extension of the term could be obtained. The subject was brought before the cabinet, and the cabinet was divided in opinion. The minority, consisting of lord Althorp, Mr. C. Grant, Mr. Spring Rice, Mr. Ellis, and Mr. Abercromby objected to the renewal of the clauses in question; but they acquiesced in the determination of the majority that the bill should be proposed in the form in which lord Grey had now introduced it. In fact, lord Grey, on moving the first reading of the bill, stated his opinion, that it was not more indispensable to put down the combinations and excesses which assumed an almost revolutionary character, than to check the causes by which they were produced. It was vain, he maintained, to say that political agitation had no connexion with predial outrage. It was impossible that men should pursue a perpetual system of excitement and agitation, inflaming the passions and courting the prejudices of the people, and

continually reproaching them as slaves submitting to a tyranny which it was their duty to oppose, without stirring up a general spirit of resistance to the constituted authorities, and of disobedience to the laws. It would not be the part of a wise legislator, or of a just and humane man, to enact severe laws against actual crime, without taking measures to destroy the causes to which, in a great degree, they were to be ascribed.

On the second reading of the bill (July 4), lord Durham having objected to the clauses which regarded public meetings, Earl Grey declared his dissent from him to be absolute, that if he could not have proposed the renewal of this bill with these clauses, he would not have proposed it at all. Without them the bill would be ineffectual, impolitic, and cruel; it would punish the miserable victims of delusion, and let those escape scot-free, who, from whatever motive, had of late years, supplied to Ireland the fuel of agitation and disturbance.—On the same occasion, the lord Chancellor expressed himself in equally strong terms, that the bill was absolutely necessary, and that the clauses in question were as necessary as any others. Finding himself compelled to admit, he said, that there was actual violence requiring to be suppressed, he had to ask himself, whether, being thus bound to suspend public rights as regarded predial outrages and popular commotions, he was entitled, in justice to those who called for protection, and consistently with the nature of the measure itself, to draw a distinction between disturbances in the country and dangerous meetings in towns?

Whether he would bear with the whole weight of his loins on the peasant, but not lay even his little finger on those who, year after year, foolishly and mischievously continued to agitate an already settled question? When he saw that the conduct of these persons had a tendency to increase excitement, to nourish, propagate, and generalize the flame of local agitation, could he stop short without seeking a remedy for this evil? Must he not address his attention to the cause of excitement as well as to the parties excited? The clauses regarding public meetings no doubt were a suspension of rights; but so were all the other clauses of the bill, to which no objection was made even by lord Durham. To give power to prevent or to disperse public meetings, was no greater infraction of the constitutional rights of the people, than to enact, as the bill did enact, that no man should cross his threshold after sunset, or go about his business according to his own convenience, even though he was breaking no law. If he suspended one species of right, he felt it was equally necessary to suspend the other. — The earl of Wicklow, having expressed his gratification at hearing the opinions of the prime minister, and of the lord chancellor, that this bill ought not to pass, unless it contained the clauses for the better regulation of public meetings, lord Brougham added, that originally he had wished that the public meeting clauses, as well as those respecting courts-martial, should be omitted; but when he found the facts to be such as they appeared to be in the papers read by earl Grey on introducing the bill, he had formed the opinion which he had just expressed.

The bill was read a second time in the house of Lords without any serious opposition, and the committee was fixed for the 7th of July; but, in the meantime, disclosures were made in the house of Commons, which stopped its progress in its present shape, and overturned the minister who had proposed it. Mr. Littleton, the Irish secretary, instead of meeting O'Connell with bold defiance, as Mr. Stanley had done when he filled the same office, had betaken himself to the unhappy course of negotiating with him, soothing him, and even intrusting him with the views and determinations of the cabinet. He committed the still greater error of doing all this without the knowledge of his superior, the head of the government. It was certain that the opposition, which the agitator and his party had given to the tithe bill, would only assume a more virulent and determined character, when the interests of their own political importance came to be more directly concerned by any proposed renewal of the coercion act. O'Connell, in fact, had already declared open war, so soon as the intention of continuing the provisions of that measure was announced. A vacancy having occurred in the representation of the county of Wexford, O'Connell addressed a letter to the electors, on the 18th of June, calling upon them to return a repealer. He commenced thus:—"an audacious and imbecile ministry threaten to renew the act which annihilates constitutional rights in Ireland. The base and atrocious whig faction dare to threaten Ireland with slavery. Under the pretext of crimes which we hate more than they do, they would deprive Irishmen of that freedom which our

virtue and patriotic exertions have wrung from unwilling taskmasters. Men of Wexford, what is your opinion of the coercion bill? What is your opinion of this weak and drivelling ministry, who presume, without a cause, or even a pretext, to call for its renewal!" In an address "to the reformers of England," dated the 20th of June, which, according to his own account, he suppressed at the time in consequence of a communication with the Irish secretary, he carried his contumely still further. He there said: "Brother reformers,—from the insulting injustice of the present weak and wicked administration, I appeal, not without hope, to your sense of right and justice. Is it just that Ireland should be insulted and trampled on, merely because the insanity of the wretched old man, who is at the head of the ministry, developes itself in childish hatred and maniac contempt of the people of Ireland! I observed this trait of madness in the character of lord Grey's mind so long ago as the year 1825. I published my opinions on this subject at that period, and many years' experience since has confirmed the judgment I formed and promulgated respecting him nine years ago. In fact, there appear to be but two leading ideas in his mind. The first regards the procuring for his family and relations the greatest possible quantity of the public spoil; I believe no minister ever had the one-twentieth, perhaps not the one-fiftieth part of the number of relations receiving public pay as lord Grey has—nor so few deserving such payment. He and his family are indeed a cruel infliction on these countries. The second, but subordinate, sentiment in lord

Grey's mind is hostility to Ireland, evinced by every act and deed of his administration. Ireland never was so unsatisfactorily, so badly governed as since the present ministry came into power. They have done everything to insult and degrade all parties and all classes in that country. They have done nothing which could serve or satisfy any portion of the people, except the few who, like the Plunketts, have been gorged with public plunder. This ministry have not one single friend, not even one nominal friend, in Ireland—nay, more, those whom they have enriched out of the public treasury hate and despise them in public, and avow their hatred and contempt in the circles of private life. Never was Ireland so badly, so unsatisfactorily governed. But will you believe it, brother reformers, lord Grey is not content with the oppression of last year; he actually threatens to renew the coercion bill 'again!!! Come forward then, I respectfully implore, and teach the insane dotard who is at the head of the administration, that Englishmen and Scotchmen are alive to the wants, the sufferings, and the privileges of the people of Ireland. The decision of the fate of Ireland is with you. The ministry, weak at court—weak in the lords—weak in the wretched mediocrity of their talents—weak in the insanity of the premier—weak by their loss of character and consistency—must yield, if you bid them. But you must bid them, in a voice of thunder, desist from persecuting the people of Ireland." He had said publicly in the house of Commons, "Now is the time for the house of Lords to pour down," and that he would support them

in driving the present ministry from their places.

Threats and a temper like these ought to have been met with uncompromising hostility. Mr. Littleton preferred to make Mr. O'Connell a confidant, and give him assurances or at least, to encourage in him expectations, which he had no authority to cherish or to give. Mr. Littleton seems to have expected some communication from the lord lieutenant regarding the omission of the public-meeting clauses, and he resolved before the minister or the cabinet had come to any decision, and when, in point of fact, the opinion of his colleagues was for the retaining of those clauses, to communicate to Mr. O'Connell, under the seal of secrecy and confidence, the sentiments of the Irish government, and to communicate it as insuring a similar determination on the part of the ministry. He spoke of the propriety of doing so to lord Althorp, who saw no harm in it, but entreated of him to use extreme caution in his communication, and by no means to commit himself in what he said.* On the 20th of June, Mr. Littleton sent for Mr. O'Connell, and informed him that he had an agreeable communication to make to him, but that all that passed must be considered to be under the seal of entire secrecy and confidence. He then expressed to Mr. O'Connell his regret at that gentleman's letter to the electors of Wexford; told him that, though it was intended to renew the coercion bill under certain limitations, these limitations were not yet decided on, but would probably be fixed by a certain day; that he had himself

the strongest aversion to that part of the bill which regarded public meetings, and did not think it likely that these clauses would be retained; that he would furnish him with the earliest intelligence of what was intended to be done; that the lord-lieutenant and himself were against the renewal of the bill of last year; that only a short measure for repressing agrarian disturbances would be brought in, and that if the coercion bill was to be proposed, it should not be introduced by him. Mr. O'Connell took his leave, having promised secrecy and confidence, and assured Mr. Littleton that none could be more anxious to assist the government in putting down these disturbances, and that they might reckon on his support, and that of the party to which he belonged, in accomplishing such a purpose.* In consequence of this interview, Mr. O'Connell withdrew the repeal candidate whom he had started for the county of Wexford with great prospect of success.

Little was earl Grey aware, that, while he was making up his own mind to renew the coercion bill, omitting only the courts martial clauses, a subordinate official had been almost pledging the government to an opposite line of policy, and had, at least, been justifying political opponents in entertaining hopes, which it would now be almost equally dangerous to fulfil or to disappoint. Lord Grey stated openly in the house of Lords (July 4th,) "that any communications, which had taken place, were

* This conversation is taken either from Mr. Littleton's own statement in parliament, or from the statement of Mr. O'Connell, which so far as regarded what passed at the interview, the former gentleman admitted to be correct.—*July 3.*

* Lord Althorp, 9 July.

totally unknown to him. If he had been applied to on the subject, he would not only have expressed his disapprobation of them, but would have used every exertion in his power to prevent them." To the dismay of Mr. Littleton, the minister and the majority of his cabinet determined, notwithstanding all the suggestions which had been conveyed by the lord-lieutenant, that the clause regarding public meetings should be retained in the bill, and the Irish secretary was thus compelled to belie his confidential communication. Although he had told Mr. O'Connell that he would not be the person to introduce the bill in that shape, he did not resign now when it was determined that in that shape alone was the bill to be brought in: that step he did not take, till after the public exposure of the whole affair. He did worse; for it does not appear that, even when the cabinet were deliberating whether these clauses should be retained or omitted, and were deciding in favour of the former alternative, any intimation was made to lord Grey and the other ministers that a different impression had been conveyed to the leaders of the Catholic party, and that, if the provisions were to be insisted on, another Irish secretary must be sought to recommend and support them. Mr. Littleton had brought about, unknown to his superiors, a state of circumstances, which, necessarily formed a most important element in their deliberations, might involve them in parliament in inextricable embarrassment, and might place them in the most fatal of all positions in which in that assembly a ministry or a man can stand, a position of awkwardness and ridicule, even if they

should escape from the more serious reproach of having disappointed just expectations by violating serious assurances; yet he allowed his colleagues to come to a decision ignorant of that which it so much concerned them to know. He communicated, however, to Mr. O'Connell that the hopes which had been held out to him could not be realized, but begged of him to take no public notice of this, till he should have seen earl Grey's speech introducing the bill. Mr. O'Connell said that he then remarked to the Irish secretary that, if he did not resign, he would be guilty of a deception, and that Mr. Littleton answered, "say nothing of that to-day," or, "wait till to-morrow;" but with regard to the fact whether such an answer was or was not given, Mr. O'Connell and Mr. Littleton publicly averred before the house of Commons, each upon his honour, that what the other stated was not consistent with the truth.

Mr. O'Connell thought he had been deceived, and was no longer bound to secrecy; he was in possession of the fact, that the Irish government was, at least, not friendly to this unpopular Irish bill; he knew well the immense advantage of the position which he had thus gained for opposing it, and the difficulties in which government would be involved by the disclosure of its own dissensions, and of the fact that no small portion of its members were acting in opposition to their own sincere convictions in a matter which concerned the constitutional rights of the people. On the 3rd of July, two days after the bill had been introduced in the Lords, he asked Mr. Littleton whether it was true that the renewal of the coercion

bill in its present shape had been advised and called for by the Irish government? Mr. Littleton answered, that this was an unusual inquiry to make regarding a bill not before the house ; but that the introduction of the bill had the entire sanction of the Irish government. Mr. O'Connell repeated, that his question was, whether it had been advised and called for, in its present shape, by the Irish government? Mr. Littleton replied, that he had no other answer to give than that which he had given already. " I now ask him, then," continued Mr. O'Connell, " if it is *his* intention to bring the bill forward in this house?" Mr. Littleton having answered, " It will be for the government to decide as to its introduction here, when the proper time arrives ; but whoever may bring in the bill, I shall vote for it." " Then I have been exceedingly deceived by him," was the rejoinder of the member for Dublin : and the Irish secretary was thus driven to state the whole matter. He repeated the history which has been already given ; he was actuated, he said, by feeling it to be a matter of interest to the government, of importance to the country, and even of kindness to Mr. O'Connell himself, to caution him as to the course he seemed about to take, and to beg of him not to act prematurely or rashly, while the extent of the intended measure was still undecided. " After consulting friends on whom I relied, and proceeding on an authority which I considered sufficient, I was led to seek an opportunity of communicating with the learned gentleman. I told him that the communication I had to make was one which I thought he would receive with pleasure, but that it

must be considered and received by him as entirely secret and confidential—an injunction which he received and acknowledged. I expressed my regret at the letter which he had written to the electors of Wexford, recommending the adoption of a violent course. I knew how inconvenient it was to the government that he should persist in the course he was pursuing. I knew the importance of his opinions from the great influence he possessed in Ireland, and I saw the advantage of dissuading the hon. gentleman from so violently opposing a measure, the extent of which was as yet undetermined. I heard, in a few days after this interview, of rumours which were in circulation about the house and elsewhere, and which rendered it impossible for me not to believe that he had divulged my communication. I did nothing in consequence of this, but I came to a determination not to hold with him any further communication. However, when I found that a decision was come to contrary to what I had supposed might have been the case, I consulted with the same individual as before, and told him that, notwithstanding what had occurred, I thought it incumbent on me, in point of honour, to communicate the state of things to the hon. gentleman. I requested a common friend to wait on him for the purpose of communicating it. Not satisfied with that, I went across the house on the same evening, and asked the hon. gentleman if he had seen the individual whom I had requested to communicate with him? He told me that he had. I begged him to refrain from disclosing my communication, till a public announcement was made on the sub-

ject, and he had heard what would be proposed in the other house of parliament. I think the house will be of opinion, after what I have stated, as to the secrecy of the original communication, that this was not asking too much. I admit that I committed a gross indiscretion in the communication which I made: but I know not in what manner he will attempt to justify his breach of confidence with respect to that communication, nor is it indeed a matter of any importance to me how he may seek to excuse his conduct. I was actuated in the course which I adopted by a desire to fulfil a public duty, and by kindness to the hon. gentleman himself. I wished to prevent him from pursuing a course which he might be sorry for, which the government might have cause to regret, and which might prove injurious to the country. My hopes and wishes have been cruelly disappointed, and he has convinced me by his conduct, that henceforth with him it will be unsafe for me to communicate on public matters, except across the table."

Mr. O'Connell added something to Mr. Littleton's explanation, and defended himself against the charge of having betrayed confidence, by alleging that he never would have divulged the communication made to him, had he not found that it had been used to gain an advantage over him by trickery. "It was not I who sought the Irish secretary; I was sought by him. I had nothing to ask from him. He sent for me. He had no right to send for me to go to his office. I did not want him; if he wanted me, he knew where I lived. The election for Wexford was coming on. One of the candidates was a whig. I thought it my duty to set up a

repealer. In these circumstances the interview took place. I admit the conversation was confidential, but that confidence was limited. That secrecy would never have been broken by me, if I had not been tricked and deceived by the Irish secretary. If such had not been the case, the conversation between us would still have remained strictly confidential. He alluded more than once to a communication which the marquis Wellesley had honoured me with, on a subject of the deepest interest to the country, and said, that he had sent for me as one only of those persons upon whom he could rely, and to whom he could apply with confidence. I replied, that I was happy to hear him so express himself, and that he would find that confidence not misplaced. I repeat again, that such would have been the case, if this conversation had not been made use of afterwards to obtain an advantage over me. He went on to tell me that the Irish government was opposed to the renewal of the coercion bill of last year, that those concerned in the Irish government (meaning of course, lord Wellesley and himself) were opposed to the renewal of that bill. The house will recollect, that this communication took place after the publication of my letter to the people of Wexford; and let the house mark what use was made of it. The right hon. gentleman told me distinctly that the Irish government, the lord-lieutenant of Ireland, and himself, were against the renewal of the coercion bill of last year, and that he thought it right, under the circumstances, to make that communication to me. I was going away with the cheerful determination to regulate my conduct, both in the

house and out of it, in accordance with the communication that I had just received, when he again repeated to me that the coercion bill would not be renewed, but only a short measure for suppressing agrarian disturbances. I told him, that no one could be more anxious than I should be to assist the government in that object, and that he might reckon upon my fullest assistance, and that of the party to which I belonged, for such a purpose. I was going out of the room, when he addressed to me this observation, that if the coercion bill should be brought into that house, it would not be brought in by him. Such was the conversation between him and me. In consequence of that conversation I wrote over to the county of Wexford, and the candidate, whom I had started there upon the repeal interest, declined the contest. Another gentleman started upon the same interest. He wrote over to me requesting that I would send one of my family to canvass the county with him. I acted upon the right hon. gentleman's distinct declaration, and I declined interfering, and what was the consequence? The whig candidate on the first day had a majority of 114 over his opponent; but what has since taken place affords a positive proof, that if I had interfered, and if some one connected with me had gone through the country, the majority would have been decidedly on the other side. That election is still going on, and up to the post hour on Monday last, the majority of the whig candidate had been beaten down to 18. Was not that a proof that I should have carried that election, if I had not been kept neutral by the delusion—by the deception—practised

upon me? What right had the Irish secretary to make such a statement to me, with a view, as it would now appear, to the carrying of that election? Will he, after perhaps obtaining the return of the whig candidate for Wexford through such means, be the person to introduce the coercion bill into this house,—will he do so, after having distinctly declared to me, not more than a fortnight ago, that he would not do any such thing? * If I had not been deluded, if I had not been deceived by that statement, I would already have addressed the reformers of England on the subject. By making that statement he secured an advantage over me; he secured my neutrality in the Wexford election, and he secured an advantage in the debate on the tithe bill. By so deluding me, he prevented me from addressing, as I intended, the reformers of England, and the reformers of Scotland too, who I hope are not dead to the cause of liberty. Having so deceived me, what right has he now to attack me for a breach of confidence? He deceived me, and through me he deceived many others. I communicated to a great many Irish members, that there would be no necessity for a call of the house; that no such bill as the coercion bill of last year would be introduced; but that the measure, which would be brought forward, would be one that every man could support; that the discussions upon it would therefore be short, and that we might expect that the session would soon be at an end. We have been all deceived by the right hon. gentleman. After the statement which he made to me, could I for a moment doubt as to the

* The repeal candidate ultimately carried the election.

particular line of conduct which it was the intention of the government to adopt? He in fact gave me to understand that the government had adopted it; for though he did not say, that the majority of his colleagues had determined upon pursuing the course he then indicated, what other interpretation could he reasonably have expected would be put upon his words? He is not so young as not to understand that a minister, holding such a situation as he did, and making such a communication, must be understood as expressing the opinion of the government to which he belonged. I repeat again and again, that he has deceived me. He has gained one advantage already, and a great one, by his deception: but it would be giving him a great deal too much to give him any longer the advantage of the seal of secrecy."

Mr. Littleton indignantly repelled the imputation that he had acted with any view to deceive or delude Mr. O'Connell; and the house seemed to admit that, however indiscreet he might have been, no such purpose was to be imputed to him. He further insisted that Mr. O'Connell, before divulging what had been intrusted to him, ought to have communicated with him on the subject, and seen whether good reasons could not be given for the decision to which government had come. The moment that decision was adopted, Mr. O'Connell was informed, both by a common friend, and by Mr. Littleton himself, of the change which had taken place. — Mr. O'Connell rejoined that one fact had been omitted. "When he made the communication to me in the house on Friday last, I told him that I wished the report of

1832, on the disturbances in Ireland to be printed." He said, emphatically, "There is no occasion for it to be printed, you will be satisfied of that by the announcement made by lord Grey in the house of Lords to-night." I said, in reply, "There is only one course for you to take—to resign; for, after the manner in which you have acted, you will be otherwise guilty of a deception on me." His reply was, "Say nothing of that to-day." — Mr. Littleton: "I declare, upon my honour as a gentleman, that I said no such thing." — Mr. O'Connell: "On my honour as a gentleman, you did." — Mr. Littleton: "I declare solemnly before the house, and upon my honour as a gentleman, that I never did." — Mr. O'Connell: "Do you mean to deny that you spoke of resigning." — Mr. Littleton: "I never said any such thing. I deny solemnly, on the honour of a gentleman, that I made any statement of the kind." — Mr. O'Connell: "then why did I not make my motion for the printing of the report? I want to know that." — Mr. Littleton: "I cannot answer for that. I do not know any thing about it. It is true, that you declared your intention of moving for the printing of the report, and said something about the bill. I did not, in reply, say a word about resigning. To the best of my knowledge, my reply was, as nearly as possible, in these words: "I trust, that, whatever your feelings or opinions on the subject may be, you will not divulge them to-night; but that you will wait until to-morrow, when you can ascertain the particular nature of the bill in lord Grey's speech." — Mr. O'Connell: "That was not what you said, nor any thing like it."

Two days afterwards, Mr. Littleton tendered his resignation, but it was refused; his colleagues, as lord Althorp stated in the house (July 7), valuing his services too highly to dispense with them on such grounds.

On the 7th of July, the coercion bill passed through committee in the house of Lords, without any alteration; and, on the same evening, in the house of Commons, lord Althorp, as introductory to the approach of the bill, presented papers relating to the state of Ireland, which he moved should be printed. On this occasion, he mentioned that Mr. Littleton, at the time when he made the communication to Mr. O'Connell, had good grounds for saying that it was not yet determined what the bill should be; that he had none, however, for informing that gentleman that government had determined not to renew the clauses regarding public meetings, and that he did not believe any communication to that effect had ever been made by the Irish secretary. It was true, there had been a discussion with the Irish government on the subject, carried on by private communications; but he could now assure the house, that the bill was brought in with the full concurrence of the lord-lieutenant.—Mr. Hume said, he understood that this coercion bill was the measure of lord Grey alone, who had threatened to resign, if his colleagues refused to concur in its renewal; this was the universal report: the chancellor of the exchequer might contradict it, if it was unfounded.—Such reports, lord Althorp said, it was clear could be only matters of surmise; to any rumour as to the opinion of an individual member of the go-

vernment, he thought it inconsistent with his duty to give an answer; and it was enough to say, that the coercion bill had been brought forward with the entire concurrence of the cabinet.

On the motion for printing these papers, Mr. O'Connell moved an amendment, that they should be referred to a select committee to report. The amendment was supported by the Irish party on the apparent ground that a continued suspension of the constitution was not a thing to be proposed without previous inquiry—but, in reality, for the purpose of getting, if possible, at the correspondence which had passed between government or any of its members, and the lord-lieutenant. The ministers answered, that all the information necessary for deciding the question was contained in the papers; and that the printing of these papers, sufficient time being left for their consideration, would serve all the purposes of a committee. To this, however, it was replied that much of the information contained in these papers was not trust-worthy; much of it stood on nothing better than the reports and opinions of police officers, who were men not to be believed upon their oaths. A committee would not be satisfied with reading the papers, and forming a judgment upon their contents; it would examine witnesses to ascertain the truth of the statements contained in them. Above all, it was necessary to know what had led to such changes of opinion in marquis Wellesley. On the 18th of April, as appeared from the papers laid before the house of Lords, he called for the renewal of the bill. About the 18th of June, as appeared from the

statement lately made in the house, his opinion had changed, and he thought any restrictions on public meetings unnecessary. Now, on the 7th of July, they were told that the re-enactment of these restrictions had his entire concurrence.—Sir Robert Peel opposed the amendment on the ground, that he was satisfied of the necessity of passing some such measure as the proposed bill; and that the appointment of a committee, at this period of the session, with the present bill about to expire on the 1st of August, would render the renewal of the act impossible. He thought, however, that government were bound to explain their proceedings more fully, and especially those connected with the lord-lieutenant. He wanted information regarding the opinions of those who formed the executive of Ireland. He had, in his own mind, no doubt that lord Wellesley wished to preserve the measure to which reference had been made, in the whole of its integrity. The following expressions were contained in a despatch of lord Wellesley, dated April 15th, 1834:—“These disturbances have been, in every instance, excited and inflamed by the combined project for the abolition of tithes and the destruction of the union with Great Britain. I cannot employ words of sufficient strength to express my solicitude that his majesty’s government should fix the deepest attention on the intimate connexion, marked by the strongest characters, in all these transactions between the system of agitation and its inevitable consequence, the system of combination, leading to violence and outrage; they are inseparably cause and effect. Nor can I, after the most attentive consideration of

the dreadful scenes under my view, by any effort of my understanding, separate one from the other in that unbroken chain of indissoluble connexion.” Was not language of this kind calculated to give an insight into the feelings which influenced lord Wellesley’s opinions—was not his declaration that agitation and predial violence were inseparably connected, in itself a proof that no bill would satisfy him but one that would enable him to vindicate the majesty of the law, and extend its protection over the peaceable and well-disposed portion of the community? Lord Wellesley was not likely to change his mind with such astonishing versatility, without strong facts, at least, to produce this conversion of sentiment; and he, for one, could not believe that, of all men in the world, lord Wellesley, so celebrated for his decision and energy, should, on the 18th of June, so directly contradict all that he had before stated. The reputation of lord Wellesley demanded, that the house should know why this measure should, in its proposed shape, be forced upon him, and we had a right to know, for the public interests, how it was that he, who, on the 15th of April, spoke of the inseparable connexion between predial violence, and political agitation, had been content to act under a bill to be brought in for the nominal repression of these disturbances. He considered the government bound, in justice to the marquis Wellesley, to produce such parts of the letters as related to public affairs. It was idle to contend that letters on great and public questions were to be made inviolably private by a mark. The very letters on the table bore all the show of private

communication. One ended, "In haste, most truly, your well-wisher," "Hussey Vivian." There were letters to the secretary-at-war beginning, "My dear Ellice." To another point he must advert. He was surprised, and indignant, when he compared the language which had been put into the king's mouth with the present acts of the ministry. It was impossible not to see, that that language had been directed against the hon. and learned gentleman, particularly when the last clause of that speech was attentively considered. He thought it an undignified proceeding, and calculated unduly to raise an individual in the scale of importance. But what must those to whom his majesty made such an affecting appeal—what must the "loyal and well-affected," think, when they found the object of royal reprobation selected by ministers on the 20th of June as the channel of confidential communication? What would they say when they discovered that the opinions of an individual, high in office, had been disclosed to him with a reference to the very act which was proposed to be renewed, and that these representations were made with a view to obtaining his support?—Mr. Littleton observed, that he had already admitted the full extent of his indiscretion. As to the opinions of lord Wellesley, they were the same now that they had been in April. He admitted, that, subsequently to the receipt of the despatch of 15th April, he had, both as the confidential friend, and as the official adviser of the lord-lieutenant, written to his lordship to inquire, whether his opinion was firmly fixed in favour of the continuation of the three clauses which prohibited public meetings. A

communication ensued, the substance of which he did not feel justified in divulging, but it was enough to say, that the result was a general union of all parties in the opinion, that the Coercion Act should be renewed as had been proposed.—Lord Althorp stated, that, on the 20th of June, the discussion then going forward between the lord-lieutenant and the Irish secretary, had been in such a state, as led the latter to believe, and justified him in acting on the belief, that the former had changed his opinions. He was not prepared to say, that the correspondence had left the same impression on his own mind respecting this alteration of opinion; but he could easily understand, how a man, anxious to lead another into his views, would interpret everything in the way most favourable to the object he had at heart. The letters themselves were, in truth and fact, private letters; and it would be impossible to carry on public business, unless such communications between members of the government took place.—Mr. Ellice having added, in answer to the remark of sir Robert Peel, that the apparently private letters on the table had been thus made public only with the consent of the writer, sir Robert immediately rejoined, "that will quite satisfy me. Will you refer to the marquis Wellesley, and ask him if he has any objection to the production of that part of his correspondence with the Irish secretary which may bear upon this point?" With this proposal, however, ministers did not think fit to close, any more than to reply to the question of lord Stormont, to which he requested a direct answer, "wherefore, and on what grounds,

the opinion of the marquis of Wellesley respecting the renewal of the Coercion-bill, had changed between the 15th of April, and the 20th of June, and again between the 20th of June, and the 7th of July."

Mr. O'Connell was even more violent and abusive than usual. He warned England not to shut her eyes on the inevitable future; not to forget that whenever war should arise, every enemy would find in Ireland a *point d'appui*. Talk, forsooth, said he, of the subjugation of Poland by Russia! Poland had nothing to show equal to the tale of burnings, murder, bloodshed, and degradation, which England had been inflicting on Ireland for 700 years; and the self-same course was still pursued. How was it that Ireland had been treated on the 20th of June? They were given to understand that the lord-lieutenant of Ireland was against the renewal of the Coercion-bill, that the secretary of Ireland was against it, and they learned (not from the right hon. gentleman, but from another source) that the great majority of the members, naming them one by one, were against it! "And yet, because the first lord of the treasury was opposed to you, because he was obstinate, and the prolonged existence of the administration was threatened, because you preferred your places to your political consistency, you are contented to be branded, as I brand you now, with being the tyrants, the miserable despots, of a country, which you believe has not at the moment the power to resist. I wish to God that I could, but I cannot, reconcile it to my conscience again to place myself in mortal conflict with a fellow-creature, and that

the survivor of us was to have the government of Ireland, and I tell you that then I had rather die than let you pass this act." The only witnesses now brought forward to prove the necessity of the renewal, were the police officers—persons who had a direct interest in that renewal—men who were most strongly tempted to give false evidence upon the subject. It had been asserted, that it was absolutely necessary for the tranquillity of Ireland that the Coercion-bill should be re-enacted. A grosser falsehood never stained human lips. Lord Wellesley was most anxious to have it re-enacted. He used nearly all the superlatives in the English language to express his anxiety; and lord Wellesley was praised for his manliness—his manliness! But, I disdain describing him! I have seen him at his levee! Oh, it is too bad that the liberties of Ireland should be made to rest upon such a will-o'-the-wisp. He is not in your cabinet. No, you never had him there! No, he is not fit for that; but he is good enough to make tyrannical laws for Ireland."

The amendment was rejected by 156 to 73; and Mr. O'Connell immediately gave notice of a motion for the production of so much of the correspondence of the lord lieutenant as would explain the reason why he opposed the renewal of the Coercion Act on or about the 20th of June.

This discussion had taken place on the 7th of July; and hitherto, instead of any symptoms of change in the ministry, however unfortunate might be the figure which they had been compelled to make, they had refused to accept the resigna-

tion even of Mr. Littleton, whose indiscreet negotiations had been the source of all their embarrassments. That night, however, lord Althorp himself, the leader in the house of Commons, sent in his resignation, and, after a personal interview with lord Grey, persisted in it. He had probably found, that, after the revelations which had taken place, it would be impossible to carry through the bill as it had been introduced into the Lords, and as the majority of the cabinet had determined that it should be carried through. He could not expect it to remain a secret that he himself had been opposed to the renewal of the restrictions on the holding of public meetings; and he would now appear before the house in the not enviable light of a chancellor of the exchequer submitting to support and conduct measures involving no less important matters than the suspending the constitution in one part of the kingdom, in opposition to his own convictions that no such suspension was necessary or expedient. A more immediate danger lay in the approach of Mr. O'Connell's motion for the production of lord Wellesley's correspondence. From what had appeared in the discussion on the motion for referring the papers to a select committee, this motion was sure to be supported by a very large minority, if not by a majority; and there seems to be every reason to believe, that the result of producing the correspondence would have been to show, that the lord-lieutenant had been argued into the expression of a willingness to be satisfied with the mutilated bill, merely because it was the desire of a section at least of the cabinet to facilitate by concessions the progress of their

measures in the house of Commons, and more particularly to relax the opposition with which their tithe bill had been assailed. To get softer words in parliament from O'Connell and his partizans, they were willing to allow them to preach disturbance and resistance through every region of Ireland.

Although lord Althorp adopted this course, his example was not followed by Mr. C. Grant, Mr. Abercromby, Mr. Ellice, or Mr. Spring Rice, — although they, equally with him, had opposed in the cabinet the re-enactment of the obnoxious clauses, — although, like him, they had agreed nevertheless to support them, — although the continued adherence of any of them was to the minister an infinitely less important object than that of lord Althorp, — and although they had all concurred in the propriety of lord Althorp resigning. The resignation of the chancellor of the exchequer, however, determined the resignation of earl Grey. The prime minister convinced himself that it was impossible for him to proceed, when deprived of the assistance of lord Althorp; and finding that the latter could not be dissuaded from his determination to retire, lord Grey gave in his resignation, and his majesty accepted it. By the retirement of the head of the cabinet, the cabinet itself was actually dissolved, but no other resignation followed; and it was manifest from every part of the transaction, that lord Grey carried with him all the power of resistance to the innovating pressure from without, which had resided in the cabinet after the retirement of Mr. Stanley and his friends.

On the 9th of July, the order of the day being read for receiving

the report on the coercion bill, earl Grey rose to announce in the house of Lords that he was no longer minister. He was so affected that he was compelled to sit down at the very opening of his address. The duke of Wellington very good-naturedly relieved him by presenting some petitions. When he had recovered his composure, the earl proceeded. —“ I really feel ashamed at the sort of weakness I have shown upon this occasion. I have recently been honoured with an interview with his majesty, and the personal kindness I experienced has quite overpowered me. I have, however, a duty to perform, and, whatever be my present incapacity, I will, to the utmost of my ability, discharge it; and in rising to propose that you should agree to the report which has just been brought up, I have to state that I no longer do so as a minister of the crown, but as an individual member of the legislature, strongly impressed with the necessity of passing the act, in order to invest the government of Ireland, into whatever hands it may fall, with a power which I believe to be necessary to the maintenance of law and order in that country. I was formerly asked, whether I was a party to any communication which had taken place on this subject with a person well known for the strong part which he has taken in the affairs of Ireland. I stated then, and I repeat it now, that these communications were not only made without my concurrence, but without my knowledge; and had I been previously apprised of them, there is no power or interest that I possessed, which should not have been exerted to prevent them, well knowing as I did, and as events

have since proved, that no communication, not even the slightest, could be safely held in that quarter by any person connected with government. From the time my opinion of the necessity of this measure was formed, it has never undergone the smallest change. It was the opinion of myself and my colleagues, and up to the 23rd of June so little reason had I to believe, that a doubt did, or could exist anywhere, that I had given instructions to the attorney-general to draw up the bill now on the table. On the 23rd of June I received from the lord-lieutenant a private and confidential letter, which I never would have mentioned out of the cabinet, had I not been obliged to do so by the necessity of the circumstances in which I am placed, and which did appear to me to give a new view of the subject, and which I felt it to be my duty to lay before my colleagues in office. That letter appeared to have been produced, not so much by any original view taken by that illustrious person, of whom I cannot speak too highly, of the state of Ireland, as by certain considerations which had been suggested to him by others, without my knowledge and without my privity, affecting the political state of this country rather than referring to the state of Ireland. I thought the view which had been thus suggested to the lord-lieutenant completely erroneous, and immediately desired him to re-consider the matter. Subsequent letters arrived, and the result of the whole undoubtedly was, that he did express an opinion that, if it would promote other objects here, the three clauses in the bill in question might be dispensed with, as not essential for the safety of Ireland,

and more particularly if, by that omission, an extension of the term could be effected. From that view which he submitted for consideration, but which he did not offer as a recommendation, I certainly did feel myself compelled to dissent. It became the subject of much deliberation in the cabinet, where, it can no longer be concealed, there was a considerable difference of opinion, though ultimately we all agreed that the bill should be introduced in its present form—a determination which has since received the full sanction of the lord-lieutenant. But now occurred a novel circumstance which has never before happened in the political annals of this country. Questions have arisen, and disclosures have been called for, of what passed between the confidential advisers of the crown and the subordinate officers of the government. With the result alone of such communications has parliament or the public to do. But to ask what was the course of the discussions in the cabinet—what particular opinion was entertained by each particular member of the cabinet—what were the different views that prevailed at different times, and under different circumstances, among the members of the government,—the adoption of such a practice would be at any time fraught with difficulties, and at the present time rendered it absolutely impossible to carry on the government. The letters in question were not addressed to me as a minister of the crown, but were of a secret and confidential nature; and whatever may have transpired respecting these communications, I do not think that the nature of them was such that the production of them could properly be called for. The commu-

nicating any thing regarding them was an extreme of imprudence which it was hardly possible for any one to anticipate; but I am compelled to acknowledge that such communications were held. The effect of them was this:—A member of the other house, having come by these means to the knowledge of these secret and confidential letters, brought a charge against government upon the non-production of these documents, stating that the production of them was absolutely necessary before the house could be called upon to pass the bill, and charging a member of the government with a breach of faith, vacillation, and inconsistency. This was contrary to all precedents and to the ordinary course of proceedings in that house; and the result has been, that the chancellor of the exchequer (I have the permission of his majesty to state these facts), who has the conduct of the affairs of government in the other house, who had been fully impressed with the opinion of the lord-lieutenant of Ireland, and who knew how much of the grounds, upon which this bill was proposed, was swept from under him by these disclosures, felt, in consequence of what had passed in the other house, that he could not, with satisfaction to himself, or benefit to the public, continue in the situation which he then held. The consequence was, that yesterday morning I received a letter from him containing his resignation, and, in a personal interview with him having ascertained that his resolution was final, I submitted his resignation to his majesty. It then became necessary for me to consider what I should do. I have for some time felt the increasing difficulties of the situation, in which I

was placed, become so painful, and so much above the remaining strength and energy which I possess, that I have long wished to retire from office. Both my late and present colleagues, well know that I expressed this wish most anxiously at the close of the last session of parliament. I gave up that determination in consequence of the strong and united representations of my colleagues, who represented that my retirement would occasion the immediate dissolution of the government, and might place his majesty in a painful situation. Since the commencement of this session, some of the most powerful members of the government have separated from it. This was most painful to me, on personal as well as public grounds; and, feeling how inadequate I was to discharge the duties of my office, I felt anxious then to retire. That resolution was so decidedly taken, that I thought nothing could have diverted me from it. I was induced, on the representations of my remaining colleagues, to depart from it; as also in consequence of an application of a great number of the members of the house of Commons, and from my anxious desire to carry through those measures which were in progress, and which were essential to the true interests of the country. I also felt how unjust it would be to his majesty to resign at such a period of the session. The resolution which I then formed would, in my opinion, have been perfectly justified by the circumstances which had induced me to come to it. In March last I completed my seventieth year, and at that time, though I might be able to discharge the ordinary duties of office, yet I felt it would be too much for the

strength of any man, or at least for mine, blessed though I am with health and the absence of all disorder—to contend against increasing difficulties. That intention, however, I abandoned on the grounds which I have stated. Then arose this new circumstance, which has deprived me of the assistance of the chancellor of the Exchequer, the leading member of government in the Commons, on whom my whole confidence rested, whom I considered as the right arm of the government, and without whom I felt it was impossible that government could go on. Former breaches had weakened it. This new breach has placed us in a situation in which I cannot hope to any useful purpose to continue in the situation which I hold. Receiving my noble friend's resignation, I felt there was no alternative left but to tender at the same time my own. These resignations have been accepted by his majesty, and I now discharge the duties of my office only till such time as his majesty can supply my place."

His Lordship then entered into a general review of his administration, stating, that he and his colleagues, though not receiving in that house the support which the crown must naturally expect, and having to contend with evils which, by the growth of ages, had acquired strength in proportion, had done more to improve all the social institutions, general power, and condition of the country, during the short time they had held the reins of government, than had ever been done before in the space of half a century. They had accomplished the three great objects for which they had taken office, reform of parliament, the maintenance of peace, and retrenchment. Had not

the pledge to reform the House of Commons been redeemed? They had found difficulties surrounding the foreign relations of the country. Though all of them had not disappeared, many of them had been removed. The country was now, comparatively speaking, in a position of considerable advantage, and the probabilities of the duration of peace in Europe were greater than they had been for a length of time. They had taken off four millions and a half from the taxation of the country, and they were the more entitled to praise for this, because they had been preceded by the great and meritorious reductions made by the government of the duke of Wellington, and former governments, from which he did not wish to abstract one iota of praise. Places in the patronage of the crown had been diminished to such an extent, that his only doubt, speaking with truth and honesty, was, whether the principle had not been carried too far. They left trade in a sound and healthy condition; the manufactories generally employed; the credit of the country greatly improved; the revenue increasing; and, with the exception of the agricultural interest (the depression of which affected the landlords through a reduction of rents which might be expected, rather than reached the tenantry, at least where the poor laws were at all fairly administered), all was in a healthy and greatly improved state. The political and trades unions, of which so much had been heard, had disappeared, and that without government calling on the legislature for any new or extraordinary powers. Yet it had often been charged against them, that they had done nothing. Did the settle-

ment of the question of negro slavery amount to nothing? Was the settlement of the East-India question, and the opening of the trade of that country and its neighbours to the enterprise of the British merchant, nothing? Was the settlement of the Bank question nothing? Were the various improvements in the Law nothing? Was the reform in the Irish church to be called nothing? The only regret he felt was, that the measures for the amendment of the poor laws, and the settlement of tithes in Ireland, had not been brought to a conclusion.

The duke of Wellington regretted that lord Grey had not confined his explanation to the causes of his own retirement from office, instead of introducing topics altogether unconnected with them, reviewing former discussions, and even the conduct of the house itself. The causes of his own resignation he had explained clearly; but he had left untouched the causes of lord Althorp's resignation which had occasioned his own. This required to be fully stated; because, if ever there were a set of men bound to their sovereign more than another—if ever there were a set of men under the absolute necessity of continuing in the service of their sovereign, as long as they could do so without the violation of honour—the noble earl and his colleagues were the men. The correspondence with the lord-lieutenant had been discussed by two members of the government in the other house of parliament. The Irish secretary had there stated what his opinion of the import of that correspondence had been. The chancellor of the exchequer, again, had said, that though that opinion did not seem to him to be borne

out by the correspondence, yet others might draw such an inference from it. Were these two ministers to be allowed to discuss certain documents, while to other members of parliament the liberty of even mentioning them was refused? The result of that correspondence appeared to be that the lord-lieutenant's opinion, drawn from him probably by certain questions, was to this effect, "If such and such be your position in England, do not produce these clauses, and I will endeavour to carry on the government of Ireland so as to do without them." Now, it was very proper for those who objected to this bill altogether, to have before them the circumstances which elicited that opinion; and it was only proper for others, who wished to do justice to all parties, to see the papers thus quoted and thus discussed by two ministers, in order to enable them to arrive at a correct conclusion. Up to the present moment the house had not received any explanation of the causes which had led to the resignation of the chancellor of the exchequer. That minister had resisted the motion for producing the correspondence; he had resisted it successfully, for he was in a majority in the other house; and who knew but that he might have continued to remain on that night in a majority? No grounds whatever had been assigned which could justify his majesty's servants in leaving office at the present conjuncture of affairs.

As to the internal state of the country, when lord Grey and his colleagues took office, they ought to have adverted, said the duke, to the circumstances which occasioned it, and to the successful revolu-

tions which had then so recently taken place at Paris and Brussels. Moreover, the country had continued in no very comfortable state up to last winter, when we had large bodies of men parading through our towns, and garrisons parading them too, at the same time, for their protection and defence; and he must add as a proof that the noble earl had not had a quiet time of it, that there had been more human blood spilt—more of the blood of his majesty's subjects shed—during the three years and a-half that the noble earl had remained in office, than there had been during all the administrations which had existed since lord George Gordon's riots in 1780, up to the time of the noble earl's administration. He ought not to boast that the West-Indian question was settled, until it was seen how the machinery of the bill would work, after the slaves were emancipated. As to the opening of the East-India trade, too, he wished that the noble earl had waited to see how it worked practically, before he had spoken of it in such flourishing terms. As to the Bank, a question had been mooted in parliament whether the noble earl had fulfilled the bargain which he had himself made with that body—and that question had arisen upon a clause introduced by himself into the bill of last year. All these points might have been omitted from the noble earl's statement, and if they had been omitted, he should not have said a word about them.

Foreign affairs, likewise, had been dragged in, and boasts had been made of the prosperous state of our foreign relations, and of the success of the ministry in preserving the peace of Europe. Now,

he would venture to affirm, that the peace of Europe was not more secure at the present moment than at the time of their accession to office. There was one promise, which lord Grey had made on becoming first minister of the crown, of which, on the present occasion, he had said nothing, a promise of non-interference with other countries. We had seen all the old allies of England, indeed every power in Europe, complaining of the intervention of this country in accredited revolutions. That was an intervention of the very worst description. Nay, that very evening, the noble earl had laid upon the table a treaty known by the name of the quadruple treaty. That very treaty was the strongest mode of intervention, short of actual war, which had ever been adopted in the history of the world. It entailed upon this country the necessity of a perpetual intervention with two states, to which we had no more right to say, "We will arrange your internal government," than we had to say it to any other two states in the world.

The Lord Chancellor scarcely seemed to repose much confidence in lord Grey's representation of the comfortable state of the country at home and abroad, when he described the difficulties of any man who might now be placed at the head of the councils of the country, as so weighty in their nature and great in their extent, that nothing but the most imperious sense of duty to his sovereign and his country, could have induced him to continue in office after the resignation of the head of the cabinet. He had, however, tendered no resignation, and he thought that the chancellor of the exchequer

ought not to have resigned. That example had not been followed by any other member of the government except its head. These two were the only resignations that had been tendered.

On the same evening, lord Althorp announced his resignation in the house of Commons. He stated, that when the coercion bill had been first brought under the notice of the cabinet, he had concurred in the renewal of it with the omission only of the clauses relating to courts'-martial; that there afterwards came communications from the lord-lieutenant, which brought it again under consideration; that it was, at this time, Mr. Littleton had mentioned the propriety of informing Mr. O'Connell that the question was not yet finally decided; that he had seen no harm in this, if it went no further; but that he had begged Mr. Littleton to be extremely cautious, and not to commit himself. "These private and confidential communications," he continued, "from the lord-lieutenant of Ireland to an individual member of the cabinet brought the subject again before the cabinet the week before last. From the nature of these communications, I was led to believe that the three first clauses of the act, which refer to meetings in the parts of Ireland not proclaimed—were not essentially necessary, and that they might be omitted from the new bill without endangering the peace of Ireland. Under this impression, I objected to their renewal. The members for Inverness, Cambridge, Edinburgh, and Coventry, coincided with me in taking that course, and in making that objection. The cabinet decided against us, and we had to consider whether

we would acquiesce in this decision, or whether we would break up the government. We decided that it was our duty to acquiesce; and I am prepared to say now, as then, that, with the imperfect information we then had of what had occurred, we were right in taking that course. I felt, in coming to that decision, that I might be placed in a situation of great difficulty and embarrassment in conducting the measure through this house. But when, on Thursday last, I heard the statement of the secretary for Ireland, and then for the first time was made aware of the nature and extent of the communication which he had made to the learned gentleman, I certainly thought it most probable that the difficulties and embarrassments, which I should have to encounter, would prove to be insuperable. The debate on Monday last, on the motion to have the papers connected with the state of Ireland referred to a select committee, proved to me that they were so, and convinced me that I could no longer conduct that bill, or the general business of government in this house, with credit to myself or with advantage to the public. I accordingly wrote that night to lord Grey, and requested him to tender my resignation to his majesty, which his majesty has been graciously pleased to accept. I am authorized by my friends to whom I have already alluded, to say that they approve of, and concur in, the step which I have taken. I hold my office only until my successor is appointed; and, until that is the case, I shall feel it to be my duty to conduct the ordinary business of government in this house. I ought further to state, what lord Grey has already stated,

or is now stating in the other house, that, in consequence of my resignation, the administration is at an end."

Mr. Littleton repeated his confession that he had committed two errors, one in holding any communication with Mr. O'Connell without the sanction of the head of the government; and a still greater one in reposing any confidence in a person who had proved so undeserving of it. He was now, he said, perfectly aware that the wisest thing for his own character and interests, and, perhaps the wisest thing for the interest of the government, would have been to have resigned so soon as he learned that his expectation of the clauses in question being left out of the bill had not been fulfilled; but he had not, he confessed, courage enough to take a step which might have powerfully influenced the conduct of others, and probably led to a dissolution of the government. He had, therefore, resolved to compromise his opinion on this point, though it was a strong and decided one. He admitted, that he ought to have communicated to lord Althorp what had passed at the interview with Mr. O'Connell; but he had trusted so much to the promise of secrecy, and was so confident of the clauses being abandoned, that he never thought of doing more than mentioning to the chancellor of the exchequer that such a conversation had taken place.

On this statement being made, Mr. O'Connell withdrew his motion for the production of the lord-lieutenant's correspondence, as he was now convinced, he said, that Mr. Littleton had acted towards him with the most perfect good faith, and had entertained, at the time,

an honest and sincere conviction of the truth of every word that dropped from him. But he himself was not to be considered, in such a case, as a private individual. He did not feel himself entitled to mention names; but the house would bear in mind, that he had to act with others, and get others to act with him. He had to manage others; but in that management he did not utter a word, or give a hint to any person, of the quarter from which he had derived the intimation in question. He had merely stated, in vindication of the conduct he was then pursuing, that the information he had received might be confidently relied on. If, finding himself deceived in point of fact, (though not intentionally) he had acted as he had done, he conceived he was fully justified in doing so.

While lord Brougham had been stating to the lords that he, at least, had no intention of resigning, and that the only resignation were those of lords Grey and Althorp, lord Althorp, as has been seen, was announcing in the Commons that "the administration was at an end." He had mentioned that his resignation was approved of by Messrs. Grant, Rice, Ellice, and Abercromby, who were in the very same situation with himself, and along with him, had formed the minority of the cabinet; and this language was so well understood, that Mr. Hume expressed his regret that lord Althorp, and others of his colleagues in whom the country reposed confidence, had been obliged to secede from the administration. But the chancellor was right. None of these gentlemen, nor any other member of the administration seceded. Instead of seeking for a

premier to construct a cabinet, they resolved to remain together as a cabinet, and seek a new head. Lord Melbourne, the home secretary, was elevated to this post; but although in common form, "he had received his majesty's commands" to lay before him the plan of a new ministry, "his lordship's duty consisted merely in stepping into the place which earl Grey had occupied, and agreeing, along with the majority of the former cabinet, to make such a sacrifice of the principles of that majority, as would enable viscount Althorp to return to the exchequer, and satisfy, in regard to the coercion bill, the demands of O'Connell and his followers. It was plain, that if the old cabinet with the new head was to retain its former opinions in regard to the coercion bill, lord Althorp could not resume office without setting at nought every consideration which had induced him to resign; and, on the other hand, while lord Melbourne declared (July 14th) that he should be unable to execute the task intrusted to him by the king, unless he procured the co-operation of the chancellor of the exchequer, it was equally plain that this co-operation could not be secured unless the majority of the cabinet gave up the policy which they had declared to be, in their opinion, indispensable to the tranquillity of Ireland, to the protection of the persons and property of peaceable subjects, and to the due execution of the law of the land. The latter alternative was adopted, although it was difficult to see how such a transaction could be reconciled with the consistency and respectability of the government, however much such a cabinet might be applauded by political

zealots as a fit instrument for their own purposes. Lord Melbourne kissed hands on the 16th of July, on his appointment as first lord of the treasury. He was succeeded in the home office by viscount Duncannon, who was likewise raised to the peerage, in consequence of a rule, that not more than two of the principal secretaries of state should be in the house of Commons. Sir John C. Hobhouse was placed, instead of lord Duncannon, at the head of the woods and forests, with a seat in the cabinet. Shortly afterwards, likewise, lord Carlisle, who had become privy seal on the retirement of the earl of Ripon, resigned, and was succeeded by the earl of Mulgrave. With these exceptions, the cabinet consisted of the former members. Lord Althorp easily allowed himself to be prevailed on to return to the exchequer, and the leadership of the house of Commons.

All this series of dissension and indiscretion, of varying opinions and penitential confessions, terminated in the expulsion of earl Grey, who apparently was best entitled to have remained—in the abandonment of their principles on the part of the majority of the cabinet for those of the minority, and a consequent addition to the influence of the *movement* party, as it was called, that is, of the party, who clamoured for more radical and destructive innovations and to whom that minority was inclined more than their colleagues at least had been while under the guidance of lord Grey. Mr. Hume, it has been seen, had charged lord Grey with being the only man in the cabinet, who insisted on the coercion bill in its present form. The fact that the obnoxious clauses were abandoned so soon as lord

Grey, and no other person, had been driven from the cabinet, seemed to prove that Mr. Hume was right; and if so, even the political opponents of earl Grey had reason to regret his retirement. When Mr. Stanley and his friends, seceded from the government, they had carried with them a very influential party in the country, who, though of liberal sentiments, and adherents of whig principles, thought that these principles had been carried sufficiently far, and who looked with suspicion at the growing hardihood and ulterior views of more daring innovators. After that event, the ministry was in a mutilated and debilitated state. The loss of earl Grey almost completed the destruction of their power of resistance to the “pressure from without,”—a pressure which became proportionally bolder when opposed to a cabinet the members of which had shown that principles sat loosely upon them, and that they were prepared to maintain those of a minority, or of a majority, according as their own ease and the smooth working of their power might seem to render expedient.

On the 17th of July, Lord Melbourne appeared in the house of Lords, for the first time, as the head of what was termed the new administration. His first act in that capacity was, to inform the house, that ministers did not intend to proceed with the coercion bill now before it, but that another bill, omitting certain clauses contained in the former, would immediately be brought into the house of Commons. This announcement brought on an irregular, but very vehement discussion, in which the conduct of the government, and some of its individual members,

was assailed by the earl of Wicklow, lord Wharncliffe, the duke of Wellington, the duke of Buckingham, and other peers, who maintained, that since the revolution, no instance had occurred of such inconsistency and tergiversation, —no example of men, for the mere sake of place, at once sacrificing their own reputation, and compromising the dignity of the crown and of one of the houses of parliament. The bill had been introduced with the sanction of the very men who now formed the cabinet, and who formed it then. The suppression of courts-martial had not been objected to, because government stated there were good grounds for not re-enacting them. As to the other clauses, the prime minister had declared that he would not consent to the passing of the bill without them; and the lord chancellor had stated that not only were they necessary, but that to pass the bill without them would be unjust. On these arguments and assurances the house of peers had proceeded with the bill; they had read it a second time; they had passed it through committee; they had received the report; and when ready to read it a third time, they were requested not merely to abandon it, but to concur in a different measure which was not to contain what they had thus been brought to declare was necessary and just. That house was to be reduced to a mere court of registration, existing only to record the decrees of the other branch of the legislature. Why should the peers be thus degraded by an anticipated difference in opinion with the Commons? The leaders of the cabinet must have been convinced they could carry the measure as it

was, when they asked the house to pledge themselves to its provisions; why could they not carry it now? At all events, why not give this measure the advantage of trying whether it would be passed, especially as it was one approved of by the government. Even if the other house were, as an amendment, to strike out the clauses in question, to agree to the bill so amended, would be a wiser, a more dignified, and a more regular course than that which was about to be pursued. Could they now boast to Europe of having an administration founded on honest and honourable principles? Let the transactions of the last ten days answer that question. It appeared from his own statement, that the chancellor of the exchequer was in a minority in the cabinet. Why then had he not resigned his office, instead of abandoning his convictions? When earl Grey brought in the bill, his colleagues and their supporters encouraged him in the enterprise, and cheered him in his progress. A week elapses, they get rid of his control, and declare themselves ready to adopt a measure altogether different from that which they had applauded him for introducing. Earl Grey, their leader and superior, is deceived by underhand negotiations on the part of his colleagues. The secretary for Ireland communicates to Mr. O'Connell cabinet secrets, which, increase a thousand fold the arch-agitator's power of doing mischief on the subject in question. He communicates the state of the question in the cabinet, and even that the opinions of its members are divided. The chancellor of the exchequer authorizes these communications, at least to some ex

tent, although he did not admit having authorized the statement made to Mr. O'Connell that the Irish government was opposed to the majority of the cabinet. Earl Grey, who had distinctly declared that he would never have allowed these communications to be made, and that the person to whom they had been made was one in whom no confidence could be reposed, is kept in profound ignorance of everything. The consequence is, that the chancellor of the exchequer, who had agreed to bring in the bill contrary to his own conviction; resigns because he cannot support a measure at variance with his own opinions. Because he resigns, earl Grey resigns; and no sooner is earl Grey out of the way, than lord Althorp again becomes chancellor of the exchequer, while Mr. Littleton never ceases to be secretary for Ireland. These were proceedings and consequences, the fairness and openness of which it would be impossible to bring the country to understand. The peers, indeed, would not press upon government any measure which it did not wish, even though it approved it, and ministers, if they chose might now turn round, as it had been announced they intended to do; but with them alone must remain the responsibility of such a line of conduct.

Lord Melbourne, the Marquis of Lansdowne, and the Lord Chancellor put their defence upon this, that it would be impossible to carry the bill through the house of Commons, if it contained the clauses in question,—as impossible, said the lord Chancellor, as to repeal the reform Act, or the act for Catholic emancipation; and this impossibility, again, arose, not from any opinions of the lord

lieutenant of Ireland, or any change in those opinions, but from the fact of its having been made public that the Irish government would undertake to maintain the public tranquillity without the aid of those provisions. They admitted the importance of these provisions. Lord Melbourne had no doubt in his own mind that the political meetings, which had existed in Ireland, and which would probably be attempted again, did produce the outrages which so deeply and lamentably disturbed that portion of the empire; and lord Lansdowne declared that he attached as much importance to the clauses in question as any member of the house. But they argued that, when it once unfortunately became known, that, in the opinion of the lord lieutenant of Ireland, and the Irish secretary, on whatever grounds, and whether on good or bad grounds, that opinion might be founded, the internal tranquillity of the country might be secured without the re-enactment of the clauses regarding public meetings, ministers would not have been justified in forcing on the Irish government extraordinary powers which, whether properly or improperly, that government itself repudiated. When by the indiscretion so often alluded to, the house of Commons had been informed that the Irish executive did not require, as necessary conditions of suppressing disturbance, all the powers contained in the bill in its present shape,—information which they did not possess when the bill was brought in,—it was not surprising that the Commons should be desirous to try the experiment of gaining the object in view by as few departures as

possible from the regular path of the constitution. It should be recollected, too, when ministers were asked, whether they could not yet have passed the bill, that it was one of which it was not desirable that it should pass merely by a bare and narrow majority. "We are told," said lord Melbourne, "that for the sake of conveniently retaining our places, we have sacrificed the interests of Ireland. I feel the observation strongly; and I shall feel deeply grieved, if any aggravation of the evils of Ireland shall be the result, and which I am ready to admit may probably be the result, of passing the bill in the proposed form. If, however, these evils should arise, these meetings be renewed, and that agitation revived, and assume any thing like a threatening magnitude, ministers, at all hazards, however unpropitious may be the season, will call parliament together, and advise his majesty to request from it the powers and means necessary to meet the difficulties of such an exigency." The chancellor, notwithstanding his speech on the second reading of the bill, declared, that, so far from thinking the clauses in question necessary, he would have got rid of them, if he could, and "thought their utility of a very subordinate nature;" although he was still ready to admit, that it was not a fair or right thing, if a choice had been left them, not to press as heavily on the meetings in Dublin, as on the meetings of the infatuated peasantry throughout the country.

The same, or nearly the same topics, were again brought before the house on the following day, in a more regular shape, by lord Wharncliffe moving an address

to his majesty for a copy of any communications received from the lord-lieutenant of Ireland stating the grounds of his having altered the opinion expressed in his excellency's letter, of the 18th of April in favour of the renewal of the bill for the suppression of disturbances in Ireland. His lordship stated and commented on the different circumstances which had begun with the lord-lieutenant's opinion that the clauses in question ought to be retained, and had terminated with lord Grey being compelled to resign, because he entertained the same opinion, and had been joined in it by a majority of his cabinet. It was proper to attend to dates. Earl Grey had stated, that the first knowledge he had of a change of opinion on the part of lord Wellesley was by a letter dated 21st and received the 23rd of June, while the communication by Mr. Littleton to Mr. O'Connell had been made on the 20th. Thus, after the cabinet had deliberately resolved upon bringing forward the measure, a communication without the knowledge of the head of the government is made to the lord-lieutenant of Ireland on the subject; the lord-lieutenant, in consequence of that communication, changes his opinion; and before the noble earl is made acquainted with that change of opinion, it is communicated to the member for Dublin, and that, too, with the assent of one of the noble earl's colleagues in the cabinet, the chancellor of the exchequer. The member for Dublin is informed that the opinions of the lord-lieutenant and of the Irish secretary are against the renewal of the clauses in question, and this at the very time when earl Grey had

actually decided on the necessity of retaining these clauses. The explanation between Mr. Littleton and Mr. O'Connell took place in the house of Commons on the 3rd of July. On the 4th of July the bill was read a second time in that house. Now, if the effect of the disclosure which was made in the house of Commons on the 3rd, was such as to lay the chancellor of the exchequer under the necessity of resigning, and to place him, as he had stated, in a position in which he could not meet the house of Commons with satisfaction to himself, or advantage to the country, why did he allow earl Grey to press the second reading of the bill on the following day? On the 7th of July another debate took place in the house of Commons, and upon that occasion the chancellor of the exchequer stated, that the measure was brought forward with the entire concurrence of the cabinet, and with the sanction of the Irish government. He was then aware that there had been a wavering of opinion on the subject on the part of the lord-lieutenant of Ireland; he was then fully aware of the difficulties he would have to encounter in pressing such a bill, under such circumstances, through the house of Commons, and yet he allowed the bill to be read a second time in the house of Lords, and their lordships actually to go into committee upon it. Upon this occasion Mr. O'Connell moved that the correspondence of lord Wellesley, then laid before the house, should be referred to a select committee to report thereon. Upon a division, there were 73 for the motion, and 156 against it, leaving the member for Dublin in a minority of 83. On the next morning earl Grey and the chan-

cellor of the exchequer resigned their offices; the latter on the ground, that he could no longer conduct the business of the government in the house of Commons, and the former because he could not go on without the latter. Earl Grey had kept his word; but lord Althorpe had not. It remained for the chancellor of the exchequer, after all that had passed, to show that he was justified in again taking office under circumstances precisely similar to those that existed when he resigned. It did not appear that any thing that occurred in the debate in the house of Commons on the 7th of July was sufficient to justify the chancellor of the exchequer in resigning his office. There was no difficulty apparent from the result of that debate in conducting this measure through the house of Commons. The house had by a large majority rejected the motion of the member for Dublin, for referring the papers on the subject of the coercion bill to a select committee; and it was plain, therefore, that the house would, under such circumstances reject any motion, if such should have been made for the production of the letters of lord Wellesley. After hearing earl Grey's statement of the circumstances which had led to his resignation, he must say, that the impression on his mind was, that no first minister of the crown had ever been so ill-treated by the persons under his guidance. No man's character could stand higher than did that of the chancellor of the exchequer. It was his character alone that could save him on the present occasion. Had any person of more equivocal character done what that noble lord had done, very different consequences

would have resulted to him. He knew it had been said that that noble lord was of all others the most capable of managing the house of Commons, so as to conduct the business of a government there with satisfaction to the country. He certainly had a happy and peculiar knack of managing the present house of Commons. His mode of management was a new mode, one adopted at considerable risk; it consisted simply in constant concession. Even with regard to this coercion bill he still pursued the same mode—namely, concession. Government should not have made such concession, when after the fullest consideration they brought in this bill, stating that it was necessary for the support of the government of Ireland; they should not have been afraid to have sent it down to the house of Commons. He was sure that if the house of Commons truly represented the feelings and opinions of the country, it would not have rejected such a bill. But the noble lord's mode of management, on the contrary, was to give way to the hon. member for Dublin, point after point, and to raise the latter higher and higher every day in the opinion of the people of Ireland. All these occurrences, it appeared, or it was said, had arisen from a change of opinion in the lord-lieutenant of Ireland; it was, therefore, desirable to know, since the lord-lieutenant had stated in the first instance, the necessity of re-enacting those clauses, what had afterwards caused at any period a change in his opinion on the subject. If the bill which now stood for a third reading was persevered in, of course no one would call for this correspondence. But as the measure was to be altered, and avowedly, too,

VOL. LXXVI.

in consequence of the disclosures made with regard to this correspondence, their lordships, before they were called upon to consent to such a measure, would have a right to see what that correspondence was. On the 15th of April the lord-lieutenant wrote to the effect that this bill was absolutely necessary, and it appeared that he was now of the same opinion. They were told, however, that, in some communications which had taken place in the interval, he had exhibited a wavering of mind on the subject, contained in a letter of 21st June. On the production of the measure brought forward by earl Grey, no steps had been taken upon the letter, and there was no reason for calling for it. But their lordships were now in a different position,—a new bill was brought forward, founded on the letter of the 21st of June, which it was therefore necessary to lay before the house.

The minister, who conducted the business of the government in the house of Commons, had said, that he could have fought the bill as it stood, till it was discovered that there existed a wavering of opinion on the part of the lord-lieutenant of Ireland; therefore it was evident that the foundation of the altered measure consisted in that letter, the production of which was absolutely necessary. Such a communication could not be justly called a private communication. It was the more necessary to have the letter on the table, in as much as earl Grey had stated, that it was written in consequence of a communication made by a person connected with the government to the marquis Wellesley, referring to the state of things in this

[K]

country, and the difficulties of government here.

Lord Melbourne admitted, that lord Wharncliffe had given a fair and candid statement of the facts, but denied the comments with which he had accompanied them, and the inferences which he had deduced from them. It was true that the chancellor of the exchequer had authorized the communication to Mr. O'Connell of the fact that the particular clauses to be introduced into the new coercion bill had not yet been finally determined, but he had not authorized a communication to the greater extent to which it had unfortunately been carried. Those members of the cabinet; who were opposed to the clauses in question, yielded to the majority, so that the statement was perfectly accurate that the bill had been brought in with the concurrence of the whole cabinet and with the assent of the lord-lieutenant, his excellency having declared himself ready to carry on the government of the country, in whatever shape the bill was renewed. Under these circumstances, the chancellor of the exchequer met the house of Commons, when he found Mr. O'Connell in possession not merely of the communication which had been authorized, but of the substance of the lord-lieutenant's letter, and of the fact that the lord-lieutenant did not think the clauses against public meetings essential to the tranquillity of Ireland. Lord Althorp thereupon resigned; but the only difficulty, which had brought him to this resolution, consisted in the difficulty of maintaining the clauses in question under the knowledge then communicated that the Irish government did not think them necessary.

That difficulty had now been removed; and such being the case, lord Althorp owed it to the king and to the country, under the peculiar difficulties of the present crisis, to return to office. As to the abandonment of the original bill, he confessed he had never deliberated on any subject on which he found it more difficult to come to a satisfactory conclusion in regard to the best mode of proceeding; but ministers had adopted that which they thought the wisest, because the most fair and candid. If they had persisted in the bill as originally introduced, they would have been asked, on the third reading, whether their colleagues were prepared to support it in the other house; and they must have answered, No, and confessed that they were willing to press on the Lords a bill which they could not press in the Commons.

To the production of the lord-lieutenant's letter he would not consent, and even if he were willing, he had it not to produce. It was a private confidential letter addressed to the prime minister, with whom the lord-lieutenant holds no official correspondence, and not to the secretary for Ireland with whom it was usual for him to have such correspondence. No reason had been stated to justify so great and so novel a violation of principle, which would break in upon the secrecy of confidential communication, shackle and impair the security of all future correspondence between ministers, and set a precedent inconvenient in the highest degree to the public service. Considering the course which ministers had now resolved to follow, nothing could be more advantageous to them than the production of the

documents in question, for it would completely justify their conduct; but they would not, for the sake of that advantage, set a bad example. Nay, what power had the house to enforce its production, or to what office in the state would they apply for it? Wherever such an application was directed, the answer would be, "we have no such document in our possession;" so entirely and strictly was it a private communication. He himself had never seen the original, but only an extract from it.

Lord Ellenborough remarked very justly that Lord Melbourne's assumption of the chancellor of the exchequer having authorized the communication to Mr. O'Connell only of the fact that the question was still under consideration, while Mr. Littleton had gone the further length of communicating likewise the lord-lieutenant's letter, was inconsistent with dates and facts, on which no doubt had as yet been thrown. It appeared from the statement of the Irish secretary that his communication to the member for Dublin took place on the 20th of June. At that time, lord Althorp could not authorize him to mention that the question was still undecided, and under consideration, because there was nothing requiring consideration, or that could be the subject of decision; for earl Grey had informed them that, until he received the lord-lieutenant's letter on the 23rd, he had no reason to suppose that any difference of opinion existed among the members of the cabinet. If there had been previous differences, they had all, by that time, been cleared away; for, by that time, the prime minister had given instructions to the attorney-general to draw up the

bill as it now stood. Neither could Mr. Littleton have communicated to Mr. O'Connell on the 20th, the substance of the lord-lieutenant's letter, for that letter was not written till the 21st, and not received till the 23rd. The substance, however, might have been communicated in this sense, viz. that persons, who had been previously in communication with his excellency, might have reason to conjecture to what opinion he was likely to be brought, and might thus be able to state by anticipation the purport of a despatch which they expected, and the contents of which they had themselves been instrumental in creating.

Earl Grey himself repeated that a communication had been made to lord Wellesley, without his knowledge, which led to the letter of the 21st of June, to the subsequent difference of opinion, and to all the other consequences of the transaction. He would answer for it, that, till he received the lord-lieutenant's letter on the 23rd of June, he had no idea whatever that any difference would arise, the bill having been agreed to, with the omission of only the court-martial clauses. It was on the 19th, that he had given instructions to the attorney-general to frame the bill, a circumstance which he recollected from his having made the communication to the attorney-general at the drawing-room which was held on that day. Earl Grey further stated that he blamed nobody; that he was convinced every thing had been done with the best and purest intentions; and that he had himself counselled lord Althorp to continue in office with the re-constructed ministry, as an act of duty to his sovereign and to the country, what-

ever share of obloquy and misrepresentation he might incur. As to the letter, it was a private letter, addressed to himself. It was in his possession: no person had a right to call for it; and he would not give it up without the sanction of the noble marquis who had written it. It was said, however, that this letter was made the foundation of a public measure,—of the new bill. He did not understand it to be so. The clauses had been abandoned, not on account of that letter, which was in the possession of ministers before the first bill, was brought in, but because the disclosure of the contents of that letter had rendered it impossible to carry those clauses through the house of Commons, an alteration which he deeply regretted, thinking, as he did, that these clauses formed the most valuable part of the bill. Lord Wharncliffe withdrew his motion.

In the house of Commons, lord Althorp announced, on the 17th of July, that he still continued to be chancellor of the exchequer, but admitted that he could not pretend that the new government had as great claims on the confidence of the house and of the country, as when earl Grey had been its head. He had himself remained in office under the new minister, because he had always concurred with him on every subject brought under the consideration of the former cabinet, because his majesty had been pleased

to request the continuance of his services, and because he had been urgently advised to do so by earl Grey himself, whose retirement from office he well knew had been occasioned by his own resignation. The principles of the government of earl Grey would still be adhered to. The administration, while feeling it their duty not to submit to the legislature any propositions which could be productive of danger to the institutions of the country, would take care to see those institutions placed in such a situation as would be neither more nor less than adequate for the purposes in view, and would carry forward such reasonable but effectual reforms as the people had a right to expect in consequence of reform in parliament. Mr. O'Connell was extremely well pleased. He considered from the appointment of lord Duncannon to the home office, that ministers intended honestly and fairly to do Ireland right, and administer justice impartially. He expressed his heartfelt satisfaction at the prospect of a coercion bill being introduced, which, retaining the clauses that gave government the power of proclaiming disturbed districts, would not hinder the free expression of public opinion. He would cheerfully support it; he would give every assistance to the protection of persons and property, or to any means of preventing agrarian disturbances.

CHAP. IV.

Modified Coercion Bill introduced into the House of Commons—Debate thereon—Resolution proposed regarding the Poor in Ireland—Bill read a second time—Amendments moved by Mr. O'Connell—Bill passes—Proceedings and Discussions on the Bill in the House of Lords—Tithe Bill resumed—Debate on Mr. O'Connell's Motion to postpone the Committee for six months—Mr. O'Connell's Amendment to relieve the tithe-payer immediately from forty per cent carried against Ministers—The Bill passes—Debate on the Second Reading in the House of Lords, who throw out the Bill—Irish Church Temporalities' Bill.

ON the 18th of July, lord Althorp moved for leave to bring in a bill to continue and amend the coercion act. He explained it to be the intention of government to re-enact only those parts of the bill which referred to the proclaiming of districts. The lord-lieutenant would have power to proclaim any district which he might think necessary; and, in these districts, any meeting, not convened by the high sheriff of the county, or with his sanction, would be held to be illegal. No person would be allowed to leave his home between sunset and sunrise, except on lawful business; and constables would have power to make people show themselves at any hour of the night, when they might call at their houses. The bill would endure only till the 1st of August 1835. He scarcely thought, that it would be necessary to assign to a house of Commons any other reason for not proposing to re-enact the remaining provi-

sions of the existing measure than this; that if ministers were prepared to hold themselves responsible for the security of Ireland without such powers, such powers ought not to be forced upon them. He admitted, however, that the true reason was, the knowledge which parliament had obtained, that the Irish government did not think the provisions in question necessary; but on the source of that opinion in the Irish government he threw no further light, except that the letter of the lord-lieutenant stated, that although agitation had prevailed throughout the country during the winter, there had been no attempts at disturbance for several weeks; that this opinion was expressed in consequence of communications made by "a member of the government in this country;" that the lord-lieutenant was then asked whether he still thought the whole of the bill absolutely necessary; to which he answered, that if, in the

progress of business, the convenience of the government in England would be advanced by leaving out those clauses, he would be prepared to go on with the government of Ireland without them. Such being the case, why should the Irish government be compelled to accept of unconstitutional authority which it did not want.

Mr. O'Connell would not oppose the motion, but he contended that public meetings should be allowed in districts where there were only "predial disturbances." He had no objection that notice of the meeting, and of its object, should be required to be given to two magistrates ten days before it was held. He was willing that the power of proclaiming should be retained, and that in proclaimed districts all persons found out of their houses at night, without being able to give a rational excuse, should be tried as for a misdemeanor. This would at once operate as a protection to those who desired to remain peaceable, and as a check on those who wished to commit outrages. It was the most anxious desire, he said, of those who, with him, wished well to Ireland, that agrarian disturbances should cease. Their existence strengthened the hands of her enemies, and gave power to the faction which domineered over her. Each petty village despot throughout the country contemplated the disturbances with delight. A burning or the assassination of a whole family would call the whole body of yeomanry and police into play. Political agitation, instead of causing them, had a directly contrary effect. In 1824, after an insurrection had actually occurred,

and when the southern counties were ready to burst out into open rebellion, no fewer than 36,000 copies of an address to the people, written by him, were circulated by sir James Lambert, who then commanded 37,000 troops. Even during the existence of earl Grey's government, sir J. Harvey made use of an address prepared by him in a similar manner.

Mr. Ruthven, however, Mr. O'Connell's colleague in the representation of Dublin, Mr. Sheil, Mr. F. O'Connor, and Mr. Ronayne, opposed even the introduction of the bill, notwithstanding its mitigated character. It was clear, they said, that Ireland owed no gratitude to ministers for this mitigation, since it had been conceded only in despair of carrying the bill in any other shape, after the secrets of their prison-house had become known. It was admitted by them that even this modification was the result only of an "indiscretion" on the part of one of their own number; and that five ministers, who had voted in the cabinet for a relaxation of this despotism, had nevertheless made up their minds to vote the contrary way in parliament. There was no foundation for the bill even as it stood; and yet ministers proceeded as if the supposed facts admitted of no contradiction, and as if the house were dealing with truisms. Baron Pennefather, at the last assizes in the county of Clare, had told the grand jury, that he was glad to find in the calendar so few of those crimes with which it was formerly stained; and at Louth, chief justice Bushe had said, that he found no case in the calendar of a similar nature to those which had been so com-

mon there. Why, then, not try the effect of the usual administration of the law, as those, who were now ministers, had themselves recommended in 1824? Predial disturbances were not now in existence: if they revived, parliament could easily be assembled; but why not wait till next session, to see what the law could do? Juries were sufficiently effective; the sheriff could call together a body of men to support the law; why then have recourse to an odious and unconstitutional measure? As ministers had changed their minds on some of the clauses, they might change their minds upon others. Why not say to lord Wellesley and lord Melbourne, "as you have altered your opinions with respect to the political meeting clauses, why cannot you consent to abandon the rest?"

Sir Robert Peel had no objection to what the bill contained, but thought government altogether unjustifiable for omitting that which it did not contain. The question was, whether the disturbances which prevailed in Ireland were, or were not, connected with the system of political agitation. If they were, then there could be no honest justification for that house tying the knot round the neck of the inferior instruments, and permitting the advocates and abettors of political agitation to escape scatheless. Every authority, from the lowest to the highest, without exception,—from the constable whom ministers had consulted to the king upon the throne,—concurred in this, that political agitation and local disturbance were inseparable. He would not quote the opinions of the gentlemen who had been con-

sulted by the lord lieutenant, though that opinion was concurrent and conclusive in favour of the extension of the bill to political offences. He came first to the opinion of the secretary for Ireland. He was asked on the first day of the session, when he had just returned from Ireland, this emphatic question—"Do you think that political agitation is connected with nocturnal outrages?" His answer was as follows:—"I think the language held at many public meetings in Ireland has tended very much to encourage feelings of disobedience to the laws, and to endanger the well-being of society itself. Having been asked for my opinion, I do not hesitate to avow it." Next came the decisive opinion of the lord lieutenant, who was mainly responsible for the tranquillity of Ireland, an opinion which had been quoted more than once during this discussion. He was convinced that agitation and outrage were inseparably cause and effect, and stated that, by no effort of his understanding could he sever their indissoluble connexion; an opinion moreover, which they had since been told was his opinion still. Next they had the opinions of members of the government; and here he was entitled to claim the authority of eight out of thirteen gentlemen that it was most expedient to enact a law directed against political agitation. He called for no disclosure of individual sentiments on the part of his majesty's responsible advisers, but the chancellor of the exchequer had voluntarily stated, that, out of a cabinet consisting of thirteen persons, five thought the clauses against political agitation

were unnecessary. The remaining eight, therefore, were of opinion that the law ought to be renewed in all its integrity. He had now arrived at the top of the pyramid, the highest authority in the state—that of his majesty. On the first day of the session, by the advice of his ministers, these words were inserted in the speech which his majesty delivered to parliament:—"To the practices, which have been used to produce disaffection to the state and mutual distrust and animosity between the people of the two countries, is chiefly to be attributed the spirit of insubordination, which, though for the present in a great degree controlled by the power of the law, has been but too perceptible in many instances. To none more than to the deluded instruments of the agitation thus perniciously excited is the continuance of such a spirit productive of the most ruinous consequences; and the united and vigorous exertions of the loyal and well-affected in aid of the government are imperiously required to put an end to a system of excitement and violence, which, while it continues, is destructive of the peace of society, and if successful, must inevitably prove fatal to the power and safety of the United Kingdom." Thus, as far as authority could be relied on, the opinion of the subordinate officers of the secretary for Ireland, of the lord-lieutenant, and of the king himself, as far as his opinion could be inferred from a speech from the throne, was in favour of the extension of the bill to objects which, it now appeared, would not come within its scope? And to what were the political

agitators of Ireland indebted for this indulgence? Was it to the predilection of government for liberty, or their horror of coercion? no; but to the accidental circumstance of a disclosure being made, that the lord-lieutenant, in consequence of representations from this side of the water, was content to try to administer the law with less power than he considered to be necessary. Ministers had conciliated their differences in the cabinet; they would not press them to a division; and now they objected to a renewal of the clauses on the ground that they could not ask parliament to agree to the bill as it originally stood, after parliament knew that the Irish executive would be contented with less. Parliament and the country had a right to know what was the nature of the representations which induced the lord-lieutenant to change his opinion. He did not mean to say, that the house had a right to require the production of evidence upon that point as their justification for passing the bill now proposed; but he thought that for the sake of the character of the government and of that mutual confidence which ought to exist between its members—he spoke now on behalf of all government—the house had an equitable and a moral right to demand explanation. He had, on a former occasion, stated his opinion, that the letter written by the lord-lieutenant ought to be produced, and he thought that it would have been impossible to carry the bill in all its integrity, after having been informed, that on the 20th of June the marquis Wellesley was ready to administer the government of Ireland without

the clauses which, on the 18th of April, he considered to be absolutely necessary, unless a full explanation were given of the causes which had led to the noble marquis's change of opinion. It was a general rule that private and confidential communications should be excepted from remark; but if such communications were made the groundwork of any public act, they became *publici juris*, and parliament had a right to call for explanation respecting them. If by any accident the fact had come to his knowledge, he would not have mentioned it; but the moment a member rose in his place, and declared that a member of the government had told him that the lord-lieutenant held a different opinion with respect to the Coercion Bill on the 20th of June from that which he entertained on the 18th of April, he thought it impossible for parliament not to demand explanation on the subject. He knew nothing of the circumstances; but this he knew, that, if the common report were true, which stated that a member of the government wrote a letter to the marquis Wellesley without the cognizance of the premier, advising his lordship to address a letter to the premier of a different purport from that which he had previously written to the government, he was not surprised at earl Grey's retirement from office. Why was the answer sent to earl Grey? Why was it not addressed to the person who made the application? Was it possible that the public business could be conducted with that degree of mutual confidence which was necessary amongst the members of the go-

vernment, when such conduct as this was pursued? He was bound in justice to the secretary for Ireland to say, that he did not believe he had made the communication to the marquis Wellesley. He thought that the right hon. secretary had acquitted himself from the suspicion of having any connexion with the transaction. However, whatever he might think of the whole transaction, however he might deem the conduct of government calculated to lower the dignity and authority of the executive, he would vote for the bill as now proposed; for since ministers were content to remain in office, and to undertake the government of Ireland, without certain clauses, he would not move their insertion, because he would not force upon reluctant instruments powers which they did not want. He still, however, retained his opinion as to the injustice involved in the omission; and deeply regretted the course which ministers had adopted, because its inevitable effect must be, to lower the character of all executive government, and to diminish the confidence which ought ever to be reposed in those documents, which, from time to time, might be submitted to parliament as the groundwork of their legislative enactments.

Lord Howick, adverting to the same topic, of the sacrifice of the three clauses, and recapitulating the facts of the cabinet having unanimously adopted them before the 23rd of June, so that the attorney-general had instructions to prepare the bill, and that lord Grey, till he broke the seal of the lord-lieutenant's despatch received on the 23rd, had not even the

most distant suspicion that the Irish secretary thought the clauses in question could be dispensed with, put these questions to Mr. Littleton: when the communication took place, which induced the lord-lieutenant to change his opinions, was he the only person to whom the communication was made? did it take place in connexion with any other communication? and was it made also to the head of the government? Mr. Littleton declined to answer these questions, being questions, he said, to which no man could be morally entitled to receive an answer.

In regard to the bill itself as it now stood, Mr. Littleton said that, during his late visit to Dublin, where he had spent the greater part of the last autumn and winter, throughout the intercourse which he had with many individuals of all classes, and of every shade of political opinion in that country, he never once heard a single opinion expressed unfavourable to the principal provisions of that act. Again and again had he heard those provisions discussed; but always in terms of unqualified approbation, while from every quarter, especially from parties connected with the districts proclaimed, those opinions were accompanied with expressions of a hearty desire that the principal provisions of the measure should be renewed. This arose entirely from the great success with which the measure had been attended, while there were no complaints of its powers having been improperly applied. Taking a year following the date at which the county of Kilkenny had been proclaimed, and comparing it with a

corresponding period immediately preceding, in the latter, namely, the year previous to its proclamation, 1,590 outrages had been committed; in the subsequent year only 331 had occurred, showing a diminution in that county of 1,259. In the case of the King's County, which had been proclaimed only recently, it was not possible to take so considerable a period; but in the three months before its proclamation there had been 113 outrages, and in the same period since its proclamation, only 40. Economical consequences, likewise, had resulted from the operation of the act in producing a more tranquil state of society. In Kilkenny, such had been the promptitude and efficacy of its power, that in the course of this spring, and early in the summer, a reduction had actually taken place to a considerable extent in the constabulary force, and even in the magistracy; no fewer than two constables, sixty police, and one chief magistrate having been struck off the list, effecting a saving to the county of 1,350*l*. All these parts of the bill which had thus been so beneficially effective, it was now proposed to renew. With respect to the clauses which were to be omitted, he was still prepared to contend that the moral effects which had resulted from the system of agitation, had been most pernicious, and tended, he did not like to say sanction, but certainly not at all to discountenance, predial outrage, and had generally been considered in connexion with those baneful effects. But it by no means followed that the powers, which had been originally di-

rected against meetings of a certain description, were necessary in the present state of Ireland. There was a description of meetings in Ireland which it was never contemplated to put down. The bill was to be directed against meetings illegally convened—convened for an illegal object—and where there were dangerous combinations, threatening existing institutions, or menacing the peace and good order of society. At the time the bill was passed there were two descriptions of assemblies in existence—the one the Irish volunteers, and the other the national trades' union, both of which possessed an extremely general character, and having each a central meeting in Dublin, acquired great power over the country, which enabled them to direct the whole energies of a discontented population in order to effect their own flagrantly wicked designs. Those meetings had been immediately subdued by the application of this law, and from that time to the present, nothing of the same sort had presented itself. He was aware it might be said that this very consequence was owing to the act, but if that argument was good for anything, it would go too far. If it was good in 1834, it might be also urged in 1835 and 1836; whereas he held that fifteen months experience of the quiescence of those meetings afforded a sufficient warrant for the legislature to relax somewhat the severity of the law; more especially as, if the necessity should unfortunately arise, parliament could immediately be summoned in order to meet by fresh powers, the new exigences of the case. It was true that the lord

lieutenant, on the 18th of April, had recommended the unqualified renewal of the whole act; but the interval of two months justified him in again calling his excellency's attention to the subject, and inquiring whether his opinion remained unchanged. He had submitted to lord Wellesley nearly the same arguments which he had used now, and had farther told him, that if he still held the same opinions, difficulty might be felt in conducting the remaining business of the session in the house of Commons. He deeply regretted that he had not previously consulted the more prudent judgment of the noble lord then at the head of his majesty's government, as it was undoubtedly his duty to do; but believing, as he did, that those clauses were likely to be abandoned, he had not in the circumstances felt, as he should, all the importance of taking that step.—Mr. Spring Rice stated that he could most distinctly aver, from his own personal knowledge, that the people themselves called for some remedial provisions to give them security. They wished to be protected against the miscreants who, without property in the country, went forth administering oaths, establishing confederacies, and by these means throwing the whole country into complete confusion. In the course of his own experience of the country with which he was connected, he had seen this; and hence it was, that he now stated that the Roman Catholic clergy, the peasantry, and farmers of that country sought for protection to their homes, and their families, so that they might be enabled to follow

their own habits of industry and labour.

Only fourteen members voted against bringing in the bill, while 140 supported it. The bill was read a second time on the 21st, when Mr. P. Scroope moved a resolution, which was not so much an amendment on the motion that the bill be read a second time, as a declaration of something additional to it, and very different from it. In his mind the agrarian disturbances which it was intended to suppress, proceeded not from political agitation, for they had lasted during fifty or sixty years, but from want of sufficient work, sufficient wages, and sufficient protection to the Irish peasant. In Ireland, he observed, they had no poor laws, few manufactories, and not sufficient agricultural employment for the population, so that the possession of land was essential to the existence of the Irish peasant; and he complained that the law, which was always too severe, had given additional facilities of late to the ejection of tenants. Accordingly the object of the Whitefeet associations was similar in practical effect to that of combinations in general,—the protection of the many against the tyranny of the few; and he was convinced they would continue, till there was such a change in the law as would give the peasant protection against the system of slavery under which he now suffered. The same deplorable state of things, which existed in Ireland, had afflicted England during the interval between the confiscation of church property and the institution of the poor laws; why then should not that system, which had worked so

well here in repressing disturbances, be extended to Ireland, where it was absolutely called for, in justice not only to the Irish poor, but to the landowners, farmers, and labourers of England, who were all injured by the want of protection to the Irish poor. He moved:—"That in order to secure life and property in Ireland, to remove all pretext for criminal outrages, and to give effect to whatever measures of severity may be enacted for their suppression, it is expedient that the population of that country be assured of the means of supporting life by peaceful and honest industry; and this house will, at the earliest opportunity, turn its attention to some measure for securing this desirable end."—Mr. O'Connor, who seconded the motion, remarked that, in consequence of the great competition for land, the landlords resorted to the most disgraceful means to oust their tenants, in order to procure a higher rent from those who were eager to succeed them, and hence the agrarian nature of the disturbances. Whiteboyism, in fact, was in Ireland a natural system of poor laws. Ministers opposed the motion on the ground that it was taking the house by surprise on a very important subject, which could not be carefully discussed till the real state of the Irish population was fairly ascertained by the results of the inquiry which government had already instituted; and it was lost on a division by eighty-nine to thirty-four.

Mr. O'Connell, who had opposed this resolution, likewise opposed some of the provisions of the modified bill itself. He ap-

proved of that part which had been called for by the Catholic clergy, and which provided that no man in a disturbed district should be allowed to go from his house at night without being able to assign a sufficient reason for his absence. No man knew better than he did how many acts of violence were produced by these midnight absences. The provision, therefore, was a protection, and he was quite ready to embody it permanently in the Whiteboy code ; but it was a calumny to say that by so doing he should take anything from the just liberty of the people. It was an injury to no man to prevent him from going out to commit outrages which deserved punishment. He would resist, however, the clauses giving indemnity to the soldiery and magistracy, and the clause making those who attended a public meeting, called without ten days' notice, and without the consent of the government, guilty of a misdemeanor. Unless ministers gave him satisfaction on these two points in committee, he would oppose the bill. Meetings were not aimed at from any serious belief in the false and detestable doctrine, that there was a connexion between political agitation and predial disturbances. If the former had been incentives to the latter, they would have been differently treated. Every act in any way annoying person or property, was made a felony by the Whiteboy act ; and any exciting or encouraging to the commission of whiteboy offences, was already a transportable offence ; but the object was to go beyond that, and to prevent the people from petitioning parliament.

—Mr. Ronayne went further, describing the bill as “ a heap of incongruous nonsense, which no man could make meaning of,” and moving, that it should be read a second time that day six months. The second reading, however, was carried by a majority of 146 over 25,

In the committee, Mr. O'Connell proposed to except meetings for the purpose of petitioning parliament from the operation of the clause which declared all meetings held in proclaimed districts, without the consent of the lord-lieutenant, to be illegal. It was only of the necessity of obtaining this consent that he wished to get rid ; he would allow the other condition, that of giving ten days previous notice, to remain. If this proposal was not agreed to, the right of petitioning would be at the mercy of the executive ; for, although the clause extended only to proclaimed districts, the lord-lieutenant, *ex mero motu*, might proclaim any district he chose. On the other hand it was said, that a lord-lieutenant who proclaimed a district, not because it was actually in a state of disturbance, but to gain the power of preventing public meetings, would deserve to be impeached. The provision was intended only for cases of actual disturbance which justified that proclaiming ; and in such cases, it was proper that the executive should have the power of preventing meetings which might tend to aggravate the causes that led to the proclamation. Mr. O'Connell's amendment was rejected ; and another which he then moved, to omit the clause which rendered military persons responsible only to courts-

martial for acts committed by them in proclaimed districts, in furtherance of the objects of the act, shared the same fate. He was not more successful in attempting to get rid of the clauses against making signals by fires, or otherwise, or of the provision by which it was made a good return to any writ of Habeas Corpus, that the party detained was imprisoned by virtue of the powers conferred by the act. The consequence was, that he opposed the passing of the bill, which was carried, on the 26th of July, by a majority of 60 to 25.

In the lords, the duke of Wellington moved an amendment to the effect of restoring the omitted clause; but he did so only to have an opportunity of putting his sentiments on record, and did not press it to a division. The discussion was confined almost entirely to the transactions, or the intrigues, which had led to the resignation of Earl Grey, while all his colleagues remained, and to the inconsistent conduct of the present ministers in having abandoned provisions which they had unanimously declared to be necessary to the good government of Ireland. On these topics, the attack and defence were conducted by statements and arguments which were almost entirely a repetition of those which have been already detailed, as having occupied the attention of both houses on former occasions: — ministers maintaining, that the clauses were necessarily abandoned, notwithstanding their importance, because the disclosures, which had been made, rendered it impossible to carry them in the Commons; while their antagonists maintained, that

the bill, as originally proposed, would have passed the lower house, if ministers had only been manly enough to state openly the manner in which, and the motives by which, the alleged expression of a change of opinion in the executive of Ireland had been obtained. If they had told the house of Commons that it was true the lord-lieutenant had expressed such an opinion; but that he had in reality been urged to come to that conclusion, not as one arising from what he knew of the state of Ireland, but as a sacrifice which he was willing to make, in compliance with suggestions offered to him, in order to render the progress of parliamentary business more smooth for ministers in regard to other subjects; that these urgencies and these suggestions had not proceeded from the cabinet, but from individual members, or an individual member, who acted without the knowledge or concurrence of the head of the government; and that the lord-lieutenant, having been told to look at nothing but Ireland in relation to this question, was now of the same opinion which he had originally entertained—had they done this; and still more, had they, at the same time, freed the cabinet, and the offices of government, not from the presence of the innocent premier, but from the underhand dealers in indirect and truckling purposes, they had no reason to fear that the house of Commons, hitherto so obsequious, would have turned upon them. If public measures were founded on what were to be treated as private communications equally inaccessible to his majesty and to parliament, where was the practice to end? There

were occasions on which the house of Commons might be inclined to pursue towards a foreign power a line of policy not approved of by the head of the government, or a majority of the cabinet. Some one, even, of the cabinet, might suggest to one minister at that court, that it would be acceptable to the house of Commons to have the position of this country in regard to that court somewhat changed; that a little more insult used towards it, would be popular in the house of Commons, and that it would make the government popular, if such an insult were inflicted. This might be called an improbable suggestion; but it was not more improbable than the suggestion which had been actually made in the present transaction. The lord-chancellor forgot his logic so far as to say that the duke of Wellington, and those who thought with him, in declining to press their amendment to a division, admitted that the clauses could not be carried through the house of Commons; and the marquis of Lansdown followed the example so far as to ask if it was so easy to restore these clauses, how did it happen that no member of the house of Commons made such a proposal?—forgetting altogether, that the clauses, if inserted by the opposition, would be opposed in the Commons by the ministers themselves, and the carrying of them therefore rendered impossible.

Lord Melbourne admitted that the proceedings, which had taken place, had been extremely unfortunate. There had been much of error in them, much of haste, much of what was inconsistent with the ordinary modes of carry-

ing on the government, and much that was injurious to the character of the country and to the stability of the administration. He did believe, however, that there had been nothing of ill intention, nothing base, nothing of a low or interested character; that all had been done under mistake, and on the purest principles of sincerity. But there were many peers who did not seem to share his lordship's belief, the more especially as the explanations given or refused, only showed that there had been much which was still concealed. When Mr. Littleton declined to answer the question of lord Howick, he only very properly refused to be guilty of another indiscretion by making the disclosure; but in the absence of a denial, no man could hesitate to say, that there had been other communications.—The earl of Ripon said, that by the resignation of the prime minister, the government, in ordinary circumstances, would have been dissolved; but at the magic touch of lord Melbourne's wand, though one member of the cabinet had actually resigned, and the others virtually, it retained its functions. In these painful, delicate, and embarrassing circumstances, earl Grey, who was not only the official head, but in truth and in fact, the life and soul of the government, and who was the last man who ought to have been removed, was not included in the new arrangements. To him, it certainly appeared that lord Grey had been made a sacrifice to an imprudent yielding to that "pressure from without;" of which, if it were not resisted, the new minister might be assured he would himself be

the next victim, and the constitution would be the last.

The earl of Harewood wished to know whether, if the great agitator should turn out not to be satisfied with what was now yielded, ministers were likewise prepared openly to declare that the repeal of the Union must also be conceded? It was true, they had already declared that they would stand by that question, even to the death; but after the experience of the events of the present session, it would be desirable to know what their intentions really were. In his political views, he had always differed from earl Grey; but he must say, that every feeling of political hostility had now ceased; and, in proof of this declaration, he would state his conviction that, during the recent occurrences, the noble lord had been most unworthily sacrificed.—The earl of Wicklow asked, what could be the reason why the letter of the lord-lieutenant, and the correspondence with him, were concealed. The impression entertained was, that government was afraid to allow the correspondence to be seen; that they were afraid not only of exposing the treachery which had been practised by some members of the government, but of letting the more honourable and virtuous portion of the cabinet into the real reasons of such a course of proceeding. It was plain, from what had been refused to be told in the house of Commons, that the Irish secretary was not the only party who had been in correspondence with the lord-lieutenant; that though the hand might be the hand of Esau, the voice was still the voice of Jacob. The country had arrived

at the conclusion, that the correspondence had been carried on by a member of the government—that the letter in question, if not written, had been undoubtedly suggested, by a cabinet minister.

The Lord Chancellor said, that he was compelled, like the rest of the ministers, now to take the bill without the public meeting clauses, because they must either do so, or not have the bill at all; but nothing could be more incorrect than to say that, even at the beginning he had thought those clauses as absolutely necessary as the other parts of the bill. He had formerly stated that, at first, he wished them to be omitted; but that on further consideration of the subject, and after he was convinced by the additional communications and discussions of the injustice of pressing upon the peasant in the country, while the agitator in the city was permitted to go untouched, his repugnance to the re-enactment of the meeting clauses was overcome, and he agreed with his colleagues; for they came to a unanimous opinion on the subject, as to the necessity of retaining the clauses. The Chancellor further stated, very unnecessarily, that nothing was more natural than for the Irish secretary to correspond with the lord-lieutenant about measures regarding the government of Ireland; but he stated something more germane to the matters in question, when he added that he himself had corresponded with that high officer, and on this very topic. He was in the frequent habit, he said, of corresponding with the lord-lieutenant. He had communicated with him on every subject interesting on this or the

other side of the water, and distinctly remembered having asked him in a private letter, whether, as the court-martial clauses had been flung over, he could not do with still less of the bill? The lord-lieutenant had never sent him an answer to that inquiry; but had written a letter to the noble earl lately at the head of the government, in which an answer was given to it by anticipation to that inquiry; for he believed that the lord-lieutenant distinctly said, that the question he (the lord chancellor) had put had not given rise to his letter. He trusted, however, that, in justice to marquis Wellesley, the production of that correspondence would not be called for. If the letter to lord Grey was unfit for publication, the correspondence which had passed between the noble marquis and himself, was certainly not less so. It related to private and domestic subjects, and would be perfectly unintelligible to the public at large. Some of it was in prose, and some not in prose—some in Latin, and a small part in Greek; and he believed that a more motley correspondence had never before been produced. But he repeated, that nothing which he had written had occasioned the letter of the lord-lieutenant to earl Grey.

The bill passed the house of Lords on the 29th of July, under a strong protest by the duke of Cumberland, the duke of Wellington, and twenty-one other peers.*

* PROTEST against the third reading (after amendments had been negatived) of the renewal of parts of the coercion (Ireland) bill.

Dissentient—"1. Because the three clauses of the act of the 3rd and 4th Will.
VOL. LXXVI.

The ministers having thus provided for the tranquillity of Ireland by what they considered enactments of sufficient energy and severity, now returned to their tithe bill, which, according to them, was to be the great recompense of her temporary submission to powers beyond the law, and which had continued suspended during the progress of the coercion bill and its singular results. The consequence of these transactions had been, the loss of the individual minister, on whom, as the head of the cabinet, men of sober minds and moderate principles mainly relied; the exposure of dissensions, indiscretions, under-hand dealings, and foolish coaxing of sworn enemies, all the persons connected with which, known or unknown, still remained in office; the unavoidable loss of character and of moral influence, as well as political weight; the creation of a belief that they were a body of men, not so anxious to guide as willing to be guided, and more inclined to concede, if they were only furnished with what they might hold out as a feasible pretext, than to encounter the difficulties of a firm resistance. It was not long before they were made to feel that such was the situation to which they had reduced themselves. On the 29th of July, the order of the day was read for the house resolving itself into committee on the tithe bill. Mr. O'Connell, moved, that the house should resolve itself into

4th c. 4, which it was the object of the motion to insert in the bill, were calculated to prevent the evils existing in Ireland, which parliament had upon former occasions declared to be 'dangerous to the public tranquillity,' 'inconsistent with

committee that day six months. He did so on the ground that it was preposterous to go at

the public peace and safety, and with the exercise of regular government.'

"2. Because the lord-lieutenant of Ireland had declared that, in his opinion, the 'agitation' (which it is the object of these clauses to prevent) 'of the combined projects for the abolition of tithes and the destruction of the union with Great Britain, had in every instance excited and inflamed the disturbances existing in Ireland;' which his excellency has described as being 'of a discontented, disorderly, and turbulent character;' such as 'secret combination, controlled organization, suppression of all evidence of crime, and the ambition of usurping the government, of ruling society by the authority of the common people, and of superseding the law by the decrees of illegal associations.' That this system of agitation had for 'its inevitable consequence, combinations leading to violence and outrage;' that they were 'inseparably cause and effect.'

"3. Because his majesty's servants have expressed, in strong terms, their concurrence in these opinions of the lord-lieutenant, and their sense of the necessity for adopting measures to meet the system of agitation. They have stated, that it is impossible 'that a perpetual system of agitation can be pursued without stirring up among the people a general spirit of resistance to the constituted authorities, which breaks out in excesses such as have been described.'

That it is not safe to leave the government unfurnished with the means to prevent an association calling itself the central association of Dublin, assuming a political character, carrying on its proceedings with all the forms of Parliament, directing other associations throughout all parts of Ireland, and desiring a general organization for the express and avowed purpose of carrying into effect measures which must be subversive of the security of the country, and destructive of all peace, order, and law.' 'That it is not consistent with justice to put down the liberties of the people in the country, but not in the city, and that parliament should press hard with the weight of the loins upon the peasant, but not lay the weight of

that period of the session, into committee on a bill containing 122 clauses, in relation to a matter so

the little finger on those, who by their conduct cherish and increase excitement and generalize local agitation.' 'If the effect, disturbance and outrage, must be put down, the exciting cause must be attended to likewise.' 'It is an infraction of popular rights when power is given to prevent or put an end to public meetings; but it is not a greater infraction of the constitutional rights of the people, a more decided invasion of the indisputable rights of the king's subjects, than is to be found in the sunset part of the bill?' It is necessary to apply a legislative enactment to the exciting cause, as well as to the mischief which that excitement produces.' "

"4. Because the principle of the British constitution and the object of all our laws, from Magna Charta down to a recent period, have been to give protection to life and property, as well as to secure the liberty of the subject; which last has hitherto been considered as the means to attain and secure the first-mentioned objects.'

"5. Because the protection of the subject by the sovereign, and the allegiance of the subject to the sovereign, are reciprocal duties. It appears, therefore, to be the duty of the two houses of parliament, convinced by the evidence laid before them of the state of disturbance, outrage, plunder, and murder, existing in Ireland, of the insecurity of life and property, and the misery and sufferings of the industrious peasantry and other classes, and of the discontinuance of all habits and pursuits of industry, wherever these outrages prevail, to pass laws to enable his majesty and those exercising his authority effectually to prevent them, if possible, and to punish those guilty of exciting them.

"6. Because it appears, from the papers laid upon the table of this house by his majesty's ministers, that the act of the 3rd and 4th Will. 4th, c. 4, wherever it had been carried into execution, had been effectual in preventing agitation, and, in a great degree, disturbance and outrage, and in bringing to trial those guilty of such offences; that witnesses had come forward to give their testimony of injuries done to themselves or others; that magistrates and juries had performed

difficult and complicated. He did so on the grounds of the demerits of the bill itself, as being merely a perpetuating of the tithe composition act, under which Ireland had now, for six years, exhibited only universal resistance to the system. He did so on the ground, that it would be time enough to legislate, after the report of the commission which had been issued should have been received, a regular plan arranged and submitted, with all its details, and all necessary information, to a select committee composed of men of all parties. Nothing was wanted but an interim provision. Let ministers, then, take the 200,000*l.* or 300,000*l.* which would remain unclaimed out of the million voted last year: let them add to that sum 150,000*l.* more, or whatever might be required to make up 480,000*l.* to be raised, not out of the taxes, but by exchequer bills chargeable exclusively on the tithe property of Ireland; let them inform the tithe-owners, that, if they did not accept of this, they would have the assistance neither of police nor of military in recovering their demands. No other proclamation would be necessary, and all apprehension for the present

would be at an end. The answer made to this by ministers was, that if the alterations which they intended to propose were agreed to, the bill, instead of being one of nearly 200 clauses, would contain only between seventy and eighty; and that the amendment seemed to have no other object than, by interposing delay, to render still more difficult the collection of this revenue, more particularly coming as it did from one so deeply pledged against tithes in any shape, that he would be contented with nothing short of their total destruction, a consummation for which the country was not yet ripe. Evils had resulted even from the delay occasioned by the grant of last year. A long desuetude of payments must always be attended with unfortunate effects. The proposed amendments would substitute two years desuetude for one; and it was very much to be feared, if this expedient were adopted, that, when the period of appropriation arrived, tithe property would be found to have been annihilated. It would not do to leave matters in a state which might lead persons to suppose that tithes were never again to be collected. There was no disguising the fact, that the

their duties; and that the districts of the country in which the act had been enforced were beginning to feel the effects of returning tranquillity, security, and happiness.

"7. Because it is obvious that the bill now under consideration cannot prevent agitation in associations in large towns. Yet it is to these associations that the lord-lieutenant attributes the system of violence and outrage, as effect to cause; and he states, that he cannot separate the one from the other of the unbroken chain of indissoluble con-

nexion by any effort of his understanding.

WELLINGTON.	PENSHURST.
ROSSLYN.	BEXLEY.
WHARNCLIFFE.	WYNFORD.
MELROS.	WARWICK.
FORESTER.	WICKLOW.
REDENDALE.	SALISBURY.
ERNEST.	BELMORE.
LONDONDERRY.	WILTON.
BEAUFORT.	SANDWICH.
FALMOUTH.	PRUDHOE.
MOUNT CASHELL.	GLENOALL.
COLVILLE."	

time had come, when it was incumbent on the house to show that it was in earnest, by taking some decided step to insure the collection of tithes. The amendment was supported by only fourteen votes; 154 members voted against it.

In the committee, on the following day, Mr. O'Connell proposed another amendment, which went greatly to alter the operation and the consequences of the bill. The bill, he said, as it stood, did not make it compulsory on landlords immediately to convert the tithe into a land-tax or rent-charge. If they immediately did so, they were to receive a bonus of forty per cent, which, however, they were to allow to their tenants. After a certain period, the conversion was to be compulsory; but, in that case, the landlord would receive a bonus of only fifteen per cent. To this plan he objected for several reasons. He thought that the relief should be given to the occupying tenants at once, without huckstering with the landlords, or holding out to them a bait to do what was considered necessary for the peace of the country. Next, the plan, contained in the bill, would operate only partially, because there were many classes of landlords, who could not come into the terms proposed; landlords, for instance, whose estates were in the possession of mortgagees (a numerous class in Ireland); those whose estates were in the possession of creditors by custodiam (he remembered nine-tenths of the land in Connaught being in that situation); those whose estates were in possession of creditors under elegits; add to these the cases

in which land was held by married women, lunatics, and by minors (by a return upon the table it appeared that one third of the population of Ireland was under twenty-one years of age); and the whole formed a very numerous body of landlords, who could not, whatever their inclination might be, come into the plan proposed by the government. Their tenants, therefore, must continue to pay the full amount of tithe, while those on neighbouring estates would be paying forty per cent less. The poor people would not understand the reason of this distinction, and it required but little foresight to predict that it would be the source of constant disturbance. The object of his amendment was to relieve the tithe-payer immediately to the extent of forty per cent. This would be intelligible to the people of Ireland. They could understand the difference between 12s. and 1l. If this plan should render it necessary to draw upon the consolidated fund to a small amount, the people of England would not grudge it, in order to effect the settlement of this important and difficult question. There would, likewise, be a much better chance of vindicating the law, if his proposal were adopted; and so much did the other parts of the bill depend upon it, that, if it was adopted, the house might get through the bill in two more sittings, for his own opposition would then be at an end.

This was offering a high bribe; and deeply as the proposal trenched upon both the principle and the details of the bill, ministers did not oppose to it either a very determined, or a very unanimous opposition. —Mr. Littleton said, that although

his own opinions were unfavourable to the amendment, there could be no practical objection to its adoption, if it should appear that such an arrangement would be generally satisfactory; but the bill ought to be allowed to proceed in its present shape, and, on bringing up the report, a clause might be moved to give the arrangement instantaneous effect, in which case he would not pledge himself what course government might pursue.—Mr. Spring Rice took the same yielding ground of the proposal being premature at that stage of the discussion, propounded as it now was for the first time. He stated his opinion, however, that the proposition itself, so far from being opposed to the principle of the bill, was likely to tend towards the accomplishment of its great object, viz., to throw on the landlord the burden of the tithe, and to relieve the occupying tenant from it, as speedily as possible.—Lord Althorp said, that he could not accede to this proposal for rendering it immediately compulsory upon the landlords to assume the burden of tithes; it could not be done without injustice to them, and it must produce more harm than good. If the house succeeded in collecting the tithes, they would impart consistency to the property in tithes; that once effected, it would then be politic to hasten as much as possible the transfer of the burden from the tenant to the landlord. In the meantime all that could be done usefully, was to hold out to the landlord, as the bill did, an inducement which few prudent men would be disposed to reject.—Sir Robert Peel, and some other

members thought that the very importance of the question rendered it most desirable that it should have been sooner discussed: at that period of the session, the majority of those to whom the great mass of property in Ireland belonged, were absent from the house. A great part of the value of the arrangement would depend on its being effected with the goodwill of the landlords. To be efficacious it must be compulsory; but if that compulsion were not applied with the goodwill of the landlord, the consequence would be, that the existing irritation and hostility against the establishment would only be transferred from the occupying tenant to the Protestant landlord. There had now been an intermission of collection of tithes for three years, which increased the difficulty of obtaining payment of the accruing tithe. Would it be fair, then, notwithstanding the suspension of the law, to impose on the landlords the duty of now compulsorily collecting tithe, or to make them answerable for its payment, while the right to tithe actually remained in abeyance. Government had all the while failed to enforce the law, and their first step now should be to re-establish its authority.

The consequence of the accommodating language, the varied opinions, and coy resistance of ministers was, that Mr. O'Connell triumphed, his amendment being carried by a majority of eighty-two to thirty-three.*—Lord Al-

* Ministers were even accused of having, on this occasion, fought, what in the language of the pugilistic ring is termed, "a cross." Mr. Shaw said, that many gentlemen, who usually sup-

on for repayment of the money which they had already obtained from parliament. The revision of existing compositions, made under the acts of 1823 and 1832, he thought was also a proper enactment. With respect to the latter, it would be recollected that it was a period of great violence on both sides, when many persons being determined to pay no tithes at all, did not care what they were set at, and when the amount of composition was fixed, not by persons skilled in the valuation of land, but by those who were employed for that purpose, merely because they were reckless of the life which they risked in the undertaking. The former compositions stood upon a different footing; nevertheless that there were circumstances connected with them which required reconsideration now that the burthen was about to be perpetually fixed on a new set of persons.

The bishop of Derry stated, that he had originally approved of the bill; that he had determined to vote against the second reading in deference to what he had believed to be the opinion of the great body of the Irish clergy; but he had received, during the last week, almost innumerable communications from Ireland, which all concurred in saying that the bill would be received in that country with the greatest satisfaction, and particularly by the clergy who were compelled to reside in retired parts of the south of Ireland. He would therefore support the second reading, and endeavour to obtain in the committee the omission of all the clauses relating to the revision of compositions, believing that their

adoption would be attended with injurious consequences. The house was bound on religious principles, if on no other, to carry into effect provisions that would relieve the clergy from the most disagreeable of all situations, and from the daily necessity of entering into contests which created evil speaking, malice, and every sort of feeling hostile to their sacred profession. He declared his conviction, that if the bill was rejected, the clergy would be reduced to a state of utter destitution.

Lord Ellenborough could not help thinking, that if the Irish clergy were content to accept of this measure, it was their poverty, and not their will, that consented. It was true they might have consented to receive three-fifths from the ancient sources, and one-fifth through the future and uncertain benevolence of England and Scotland, on which they had properly no claim; but he could not believe that they would consent to reimburse the people of England and Scotland by drawing on funds purely spiritual, and which, by the solemn pledge of parliament, had been devoted to purposes most essential to the safety and existence of the Irish church. To talk of this measure securing the tranquillity of Ireland, was to indulge in mere mischievous delusion. Much might have been done by the bill which ministers had introduced, but nothing would be effected by the bill which they had brought up from the Commons. The changes were said to arise from difficulties inherent in the difficulty of the subject. It was not so. From the commencement of the late administration,

so far gained their ends, their leaders immediately gave government warning that they were now prepared to demand more; and that, even setting aside the question of appropriation, there must forthwith be new concessions. In opposing a resolution unsuccessfully moved by Colonel Davies in the committee, that the consolidated fund should not be charged with any sum towards carrying into effect the purposes of this act, Mr. Sheil said, that this bill was not enough. More bishops must be struck off, for twelve were too many; and why should the primate have an income of 16,000*l.* a-year. They might rest assured that the Irish people would approach them in the next session, and, in a tone as strenuous as before, demand larger and more important concessions.—Mr. O'Connell announced, that, having now succeeded in relieving agricultural parishes to the extent of forty per cent., the same thing must be done in regard to parishes in cities and towns. It might be inconvenient to take up the matter this session, but in the next, it would immediately be brought under the notice of the house. On the 5th of August, the bill was read a third time and passed.

Lord Melbourne, on moving the second reading of the bill in the house of Lords (August 11th), gave the peers clearly to understand, that, if it was lost, it would be entirely out of the question that any government should propose a grant for the relief of the Irish clergy. To make any such application would not only be unjustifiable, but, he believed, would be altogether in vain. Although, likewise, he admitted that there

might be reason for viewing with jealousy and distrust the quarter from which had proceeded certain alterations made in the bill since it was originally introduced, he thought the arrangement itself not a bad one for the clergy. The tithe for the future was to be received by the crown, and paid by the landlord, and in return for the burthen thus imposed upon him, the latter was to have a deduction of two-fifths, or forty per cent, of the amount of the original composition. This deduction had not been fixed arbitrarily; for, it would be found that if tithes were redeemed at six years purchase then, making allowance for the interest of the money, the bonus would amount to about forty per cent. But the incomes of the clergy were not to bear the whole of this deduction. The deduction to be made from these incomes would be only twenty-two and a half per cent, being twenty per cent for increased security, and two and a-half for the expenses of collection. The incumbents therefore would receive 77*l.* 10*s.* for every 100*l.*, without trouble, without the risk of bad debts, and without any of the odium which had hitherto attended the collection of tithe property. Another consequence was, that the clergy would be relieved from the repayment of sums already advanced to them, which they would otherwise be called upon to make in November next, this charge being now likewise laid upon the landlord. If, on the other hand, the bill did not pass, then, in November, the Irish clergy would be left to the ordinary course of law for the collection of their revenue, and at the same time, would be called

on for repayment of the money which they had already obtained from parliament. The revision of existing compositions, made under the acts of 1823 and 1832, he thought was also a proper enactment. With respect to the latter, it would be recollected that it was a period of great violence on both sides, when many persons being determined to pay no tithes at all, did not care what they were set at, and when the amount of composition was fixed, not by persons skilled in the valuation of land, but by those who were employed for that purpose, merely because they were reckless of the life which they risked in the undertaking. The former compositions stood upon a different footing; nevertheless that there were circumstances connected with them which required reconsideration now that the burthen was about to be perpetually fixed on a new set of persons.

The bishop of Derry stated, that he had originally approved of the bill; that he had determined to vote against the second reading in deference to what he had believed to be the opinion of the great body of the Irish clergy; but he had received, during the last week, almost innumerable communications from Ireland, which all concurred in saying that the bill would be received in that country with the greatest satisfaction, and particularly by the clergy who were compelled to reside in retired parts of the south of Ireland. He would therefore support the second reading, and endeavour to obtain in the committee the omission of all the clauses relating to the revision of compositions, believing that their

adoption would be attended with injurious consequences. The house was bound on religious principles, if on no other, to carry into effect provisions that would relieve the clergy from the most disagreeable of all situations, and from the daily necessity of entering into contests which created evil speaking, malice, and every sort of feeling hostile to their sacred profession. He declared his conviction, that if the bill was rejected, the clergy would be reduced to a state of utter destitution.

Lord Ellenborough could not help thinking, that if the Irish clergy were content to accept of this measure, it was their poverty, and not their will, that consented. It was true they might have consented to receive three-fifths from the ancient sources, and one-fifth through the future and uncertain benevolence of England and Scotland, on which they had properly no claim; but he could not believe that they would consent to reimburse the people of England and Scotland by drawing on funds purely spiritual, and which, by the solemn pledge of parliament, had been devoted to purposes most essential to the safety and existence of the Irish church. To talk of this measure securing the tranquillity of Ireland, was to indulge in mere mischievous delusion. Much might have been done by the bill which ministers had introduced, but nothing would be effected by the bill which they had brought up from the Commons. The changes were said to arise from difficulties inherent in the difficulty of the subject. It was not so. From the commencement of the late administration,

the object of the crown, of the ministry, and of the house of Commons, had, uniformly, they had been led to believe, been the same. Every measure, every report of a committee, every speech from the throne, or from a minister, had put forward, as the great object a rent-charge with a view to redemption. This plan had been abandoned; not, however, in consequence of difficulties in the question, but of difficulties in the cabinet. All the alterations in the measure, which had taken place with such astonishing rapidity, had been produced by changes in the government, and disputes among the members of the administration. Ministers were pledged to the reports of the committees of 1832, and the principles of these reports they had themselves confirmed by the solemn resolutions to which Mr. Littleton had asked, and received, the assent of the other house on the 20th of February. Accordingly, the bill, as brought in, was one by which tithe was converted into a land-tax payable to the crown; and such great facilities for redeeming were offered to the landlord, that it was calculated the redemption would be completed within five years; if not, then a rent-charge was to be imposed, but that rent-charge was to be redeemable. The ultimate intention and object was, that the clergyman should have either a sum of money bearing interest, or land purchased in perpetuity. This was a reasonable object, which might be expected to bring tranquillity to Ireland, so far as this question was concerned. It would have made the church strong, and given to every clergyman an

increased means of usefulness; and if ministers would still give the House that bill, the result of their own deliberate judgment exercised upon the question during three years, and to which the house of Commons had assented by a majority of five to one, he would not propose a single alteration in the measure, but would vote for it in its very words. But all this had now been abandoned. Instead of the original bill, ministers presented them with a measure which required the landlord to pay over three-fifths of the tithe to the crown, and allowed him to recover an equal amount from his tenants, the difference between this sum and the amount of the composition, deducting twenty-two-and-a-half per cent being to be paid from the consolidated fund, which was to be reimbursed, if possible, from the perpetuity fund. All the difficulties and dangers, too, of vindicating the law, the first duty of all government, were to be thrown upon the landlord, not only in relation to what might occur hereafter, but even in regard to arrears. This, at the best, could lead to the vindicating of only three-fifths of the law, while it gave the other two-fifths of the law as a premium for its violation. Redemption, too, was not provided for; though not excluded, it was rendered all but impossible. What would be the consequences of this new measure to both clergyman and landlord? It appeared from a statement of the Irish secretary that sixty-six parishes, belonging severally to twenty-two counties, were now practically subject to a rent-charge. On what principle, then, could they ask the clergy-

man to give up forty per cent of his income, continuing to have the same persons for his debtors, and holding already for the whole of his income, the same security that he was to have in future for a portion of it. The effect on the landlords, again, would be most unequal. The occupying tenantry were no longer to have anything to do with the payment of tithes. Where, then, the lands were let on tenancies at will, the landlord might gain the whole of the proposed bounty by raising the tenant's rent in the same proportion in which the latter was relieved of tithe. Where, again, the lands were let on long leases, the landlord might actually be a loser of twenty per cent on the sum he had to pay. The bill, therefore, must be rejected altogether. The measure might, in fact, be regarded as a money bill; but, setting that aside, what were they to do by going into committee? They could do so only with the intention of altering, omitting, and inserting clauses, and this on the 11th of August, with the view of establishing a new system of tithes for Ireland. The thing was utterly impossible. Even if they were not defeated by time, they were sure to be defeated by the house of Commons, who would declare, as they had done before, that the measure was too important to be decided by a single vote of their lordships. Even the government should not be unwilling to have the means of a more deliberate examination; for the measure, as it stood, was one which had been concocted in three weeks, by a number of different persons, and was very unlike that which had

been the result of their deliberate judgment after a consideration of three years. He, therefore, moved that the bill should be read a second time that day six months.

The Marquis of Lansdowne contended, that the bill ought to be supported, because this, or some measure of a similar kind must of necessity soon be passed, and because, at a future period, they might not be able to gain the same advantages which the house of Commons now tendered to them. He admitted that a conversion of the tithes into land would be very desirable, but there were so many persons who disliked the idea, and the notion of converting land into mortmain had been so long unpopular in England, that he could not think of supporting any measure having this for its object. Yet lord Lansdowne must have been aware that the resolution of the 20th of February, moved by Mr. Littleton as the organ of the government, contemplated such a conversion, and was intended to effect it. He further denied, that the bill had been changed in principle, though it had been changed in form. By administering a large degree of compulsion, what would have been paid in five years was now to be paid in one. As a landlord he disliked this; but he cordially supported it, when he saw what would be its effect on the tranquillity of Ireland. That it would contribute to the restoration of that tranquillity he could not doubt, for it was in vain to say, that collection of tithe by the landlord, and by the Protestant clergyman, would lead to the same consequences. Was it to be

thought that, because the landlord, in the exercise of his sound discretion, could recover from the tenant what he had advanced for him at a time when the tenant might find it difficult to raise the money, the same feeling would be in action when the receiver stood in a totally different relation to the tenant, and his proceedings were of a very different kind? Even if the same irritation were to follow, it would not be directed against the clergyman, for to him the tenant would not have to pay a farthing. If compulsion was applied to the church, it was applied to the landlord also, and parliament, too, with great liberality, had taken part of the burthen upon itself. In doing so, the house of Commons had offered a boon, which, if rejected now, might not again be offered.—Lord Duncannon, the new home secretary, was equally clear that the bill ought to pass, as being the only one of the measures hitherto proposed, in which the real interests of the peasantry and tenantry were truly consulted. The clergy were no losers by sacrificing twenty per cent; for every clergyman examined before the committees of either house of parliament had stated, that the collection of his tithes cost him, at least, twenty per cent, and he himself knew cases in which it had cost much more. If the bill did not pass, he felt confident that all exertions, which could be made in favour of the clergy to assert the law, and to support their just claims, would entirely fail, and that by means of passive resistance, nothing would be found by the clergy upon which to distrain; thus, after incurring considerable ex-

pense in fruitless efforts, they would not recover one shilling of their tithes. He admitted, that, in its first shape, and before the amendment was carried, the law at present existing had been asserted; but when the amendment came to the other house proposed by the Irish landlords, a very different question presented itself. The amendment was not of Mr. O'Connell's proposition, though he thought that gentleman had very wisely adopted it; it was the result of a resolution, to which the Irish landlords resident in London had come, and would have been brought forward, even if Mr. O'Connell had not embraced it. It was true it had been opposed by lord Althorp, because his lordship, as a minister, was bound to support the bill propounded by the government; but when he obtained the sentiments of the Irish landlords upon it, he was justified in giving way. He himself rejoiced that the chancellor of the exchequer had done so; for he was quite satisfied, that if the original bill had passed, though it might have asserted the law, it would have effected that object amidst bloodshed and conflict with the peasantry. Lord Duncannon, however, did not explain how it happened that he, entertaining such opinions regarding the effect of the proposed measure, had joined the cabinet at a time when the government contemplated no such change,—a government, moreover, that, confessedly, would never have thought of such a change, essential as lord Duncannon deemed it, if bloodshed and civil conflict were to be avoided, unless the amendment had been

forced upon them from another quarter. Ministers had maintained, that their bill would produce tranquillity; lord Duncannon was convinced, that it would produce civil war, and the shedding of human blood; yet lord Duncannon joined them to carry it through.

The earl of Winchilsea, the bishops of Meath and of London, and the earl of Roden, opposed the bill; the earl of Roden requesting the house to bear in mind that it was through the Protestants of Ireland alone that the union with this country had been preserved; and if they should once become thoroughly disgusted with the conduct of the government, and persuaded that from it they had to expect neither support nor justice, it was impossible to say, whether they might not think it more advantageous to make their own terms with the people of the country, than to surrender themselves the victims of whatever arrangements a minister might think proper to make on their account. —The earl of Mansfield could see no security for the rights and interests of the Irish clergy in the present bill. On the contrary, it appeared to him that the yielding to injustice, which would be the case if they passed such a measure as this, would be construed into an admission that the rights of the Irish clergy were either not just, or that those rights were not sustainable, and that, in fact, it would lay the grounds for future evils. After going through the details of the original bill, he observed, that the amount of the deduction, which, even in that bill, it had been proposed to make from the tithes belonging to the

clergy, which were to be converted into a rent-charge, was extremely questionable. At all events, it was a point that should not be hastily decided upon, and without proper inquiry. A portion of that deduction was undoubtedly justifiable, on the grounds of the difficulties attendant upon the collection of such property as tithes even in tranquil times, and under ordinary circumstances. But it was well worthy of inquiry whether a portion of that deduction was not made on account of the difficulties in the collection of tithes, owing to the disturbances that prevailed in Ireland on the subject. If any portion of it was made on that account, it was obvious that there would be gross injustice in making it. Government, by doing so, would be taking advantage of its own wrong, and holding out a premium to agitation. But farther, the present bill, in addition to a deduction of one-fifth contained in the original measure, deducted another fifth which was to remain in the pockets of the landlords. Now, looking at the nature of tithe property, on no principle could any deduction be made from it in favour of the landlord. This second fifth, it was said, would not be deducted from the clergy; it was to be made up to him by the state; Great Britain was to be taxed for the purpose of making a donation to Irish landlords; but he apprehended it was clear that the proposed deduction of forty per cent was quite in favour of the landlords. He understood that the amount of the perpetuity fund would not be so great as was expected, and they might therefore calculate upon a

deficiency in that quarter to meet the demands of the clergy. If that should be the case, they would be obliged to come to the consolidated fund; he feared that in such circumstances, the people of this country, rather than pay that deficiency, would let it fall upon the clergy; and if it did so turn out, it would only meet the expectations and fulfil the wishes of one who had been very much connected with this bill. The avowed object of that individual would be promoted, if not accomplished, by it, namely, that tithes should be divided into three parts, one-third to be appropriated for the benefit of Protestants of every sect, one-third to be given to the Catholics, and one-third to be applied to civil purposes. He was aware that that proposition had been indignantly rejected by his majesty's ministers, but he must say, that such a system, by the operation of this bill, would be greatly advanced towards being finally carried into effect. He was perfectly aware that the rejection of this bill would expose the Irish clergy to great inconveniencies. But if difficulties should arise, they must come to parliament for relief, and he trusted that under such circumstances, when their distresses were properly laid before parliament, they would obtain consideration and relief. He believed that their situation would be somewhat improved by the bill which would come into operation in November next, and which would give them greater facilities for the recovery of their tithes. The satisfactory settlement of this question had been greatly impeded, by the weakness,

by the errors, as they were called, but which he called something more than errors, of the present administration. There was no successful combination against tithes, till the change of ministry in 1830; and a great deal of its success was fairly attributable to the conduct of government. Their non-renewal of the proclamation act in the first instance, confessed as it was by themselves to be necessary, was a great mistake. Then came the unfortunate use of the words "extinction of tithes," which, though they had been explained in a manner sufficiently intelligible in that house, conveyed an erroneous impression to the people of Ireland, which impression had been afterwards confirmed in a late speech from the throne. Then there was the prosecution against the member for Dublin, a prosecution which had been commenced somewhat in the spirit of vengeance, and which was afterwards without reason abandoned: while the government almost immediately afterwards conferred upon that individual a patent of precedence; a proceeding which had always been considered by men of impartiality and common sense, as a direct and undisguised premium for agitation. What could the clergy or the Protestants of Ireland expect from a government, which allowed a magistrate, who had presided at an anti-tithe meeting, still to continue in the commission of the peace? Now that this bill was before the house, could it be said any longer that Mr. Stanley was wrong in seceding from ministers, because they were contemplating measures which affected the security

of the church? Their very first act after his separation confirmed his apprehensions. They issued the commission and brought forward the present measure. Then came the late changes in the cabinet, the occurrence of which was clearly connected with the conduct of government in relation to the coercion bill. To demonstrate their *animus* more clearly an arrangement was made with the member for Dublin,—not a suspension of arms, not a treaty of peace,—but an arrangement on the part of government, for the purpose of enabling him to modify their own arrangements on the question. In fact, this bill was allowed to be altered by one who was the avowed enemy of the church. The chancellor of the exchequer was beaten by him, but in such a manner as showed that the noble lord did not make the resistance which he might have made upon the occasion. He did not wish to say anything harsh of his majesty's government, but he must say that even the most sordid love of place (which he did not attribute to them) would scarcely make others envy them the situations which they now held. Ministers had suggested that some of the peers on his side of the house, were actuated by mortified pride and disappointed ambition. If passion so base could take possession of their minds, what greater gratification could they possibly receive than to behold the degraded state to which their political adversaries had now been driven? If ministers knew how low they stood at this moment in the opinion of all whose sentiments formed the only public opinion

by which a wise and virtuous man would wish to be guided, if they did but know what was said of them by such persons, and the thorough disgust which their conduct had excited; if they did but know the withering blast which had come upon their fame from the approbation of the member for Dublin, they would, if not totally reform, do their best to reform the errors into which they had fallen.

The lord Chancellor repeated the argument, that it was more advantageous to the clergy to get a smaller sum without risk or trouble, than to recover a still smaller one, if they recovered anything, through scenes of bloodshed and civil broil; and to the question, how the landlord was to recover the tithe which he was thus to advance, he said the answer was very plain; if the landlord collected his rent at present, he would be equally able to collect it in future, augmented by the advance on account of tithe—an answer which begged the whole question, and which left entirely out of view the case of landlords who could not increase the rent payable under existing leases which had still many years to run. As to the change of which so much had been said, the lord chancellor considered it to be a very great improvement on the original measure, and denied that there was any real difference of principle between the bill originally brought forward and that which was now before the house. The principle of the original measure was, to throw the burthen of tithes on the landlords, and to terminate the conflict existing between the

tithe owner and that peasantry. This was to be done sooner or later; but at the latest, the object was to be effected at the end of a period of five years. Such was the principle of the original bill, and the main alteration in the present measure was one which threw the burthen on the landlord immediately, instead of waiting till a certain period had elapsed previously to adopting that course. But the bill, it seemed, however necessary and beneficial, was to be rejected, because Mr. O'Connell, approved of it, and had amended it; that was to say, that a man whom you disliked had only to advise you to save the country from civil war, in order to make you reject the suggestion! It was very easy for such politicians to say, am I to degrade myself by taking a leaf out of Mr. O'Connell's book? Shall I permit him to dictate to me? But he did dictate to them; and the only difference was, that, instead of taking the thing honestly and directly as a beneficial suggestion, they took the law from him by giving him power to determine what they should do, by enabling him to decide what they should not do. If he thought a proposition originating with Mr. O'Connell to be beneficial, he was neither so vain as to reject it, because it was not contained in his own plan, nor so frantic, or such an idiot, as to refuse to adopt it, because the conduct of its author was not such as he had been able altogether to approve. Barring the chance of an inference of any private intercourse or bargain between Mr. O'Connell and the government,

he should say, that so far from an amendment of the learned gentleman being objectionable on account of its source, if he approved of the proposition on its own merits, looking to the peace of Ireland and the good working of the measure, the origin of the suggestion would with him be an additional reason for receiving it with open arms. He admitted that it was the duty of government to do all they could to enforce the law in Ireland, and he would oppose every attempt to resist the collection of tithes; but there was a point beyond which Government could not go. The law could not lay hold of cattle which were not in the fields; nor could pigs or cows be seized under similar circumstances. Tables and chairs and other miserable furniture might be seized in a dwelling house; but he would say, that while the Government could enforce the law and prevent a "rescue," one thing must be clear—that they could not compel the people "to buy!" How, he should like to know, could the clergy repay the Government advances, if this bill were not agreed to? It was clear, if the clergy had advances made to them; their private estates would be liable for them at common law as well as their church preferments. But again, suppose this bill thrown out, and what would be the result? He almost feared to contemplate it. Were their Lordships, he should like to know, under such circumstances, exercising their high prerogatives—their noble functions? Were they doing all they ought to do for the good of their country? The

country would not forget what their Lordships had done, or would do; and having stated his firm belief that this measure should pass into a law for the good of the clergy and the peace of Ireland, he would wash his hands of any opposition to it.

The duke of Wellington thought the bill now proposed was entirely distinct from that which ministers had brought forward, in principle, in practice, and in relation to the benefits which it was to confer on the church of Ireland. His first objection to the measure was, that it placed the parochial clergy of the church of England in Ireland in the situation of stipendiaries. The rent-charge was to be paid to the commissioners of woods and forests, and they were to pay it over to the clergymen; and besides this, they were to receive the money out of the consolidated fund. This was a most important question in reference to the independence of the church of Ireland. The object of the measure which had formerly been brought forward was, to give value to property and tithes, by vindicating the laws, and having given that value to property, then, by degrees, to create a rent-charge, with a view to the final redemption of tithe. The clergy did not become stipendiaries for ever, as they were under this measure; but they were stipendiaries only for a certain limited period, till it should be possible to redeem the tithes, and convert their property into land. The vindication of the law was now laid aside altogether. Instead of vindicating the law, their lordships were to proceed to do something for the peasantry—that

was to say, that the peasantry having been in a state of insurrection against tithes for the last three years, their lordships were to pretend to abandon two-fifths of these tithes, in order that they might do something for the peasantry. He then referred to a statement to show that the ecclesiastical fund could never meet the charge upon the consolidated fund. At the present moment, not more than 25,000*l.* could be raised. He agreed that the clergy of Ireland ran a great risk, but there was as great a probability of their receiving their dues under the present system as under this bill.

The earl of Ripon and the duke of Richmond pursued a middle course. So far from thinking that no alteration had been made in the principle or nature of the measure, they said that, although they would vote for the second reading, they would do so only with the intention of restoring the bill, in committee, to what it once had been; and, if unsuccessful in that, they would vote against the third reading. This they thought was the course which should be followed, where so many of the opponents of the bill were favourable to the original measure. If not changed in committee, they would be as able to reject it then as now. If it was changed, and in that state rejected by the lower house, then with the house of Commons would lie the whole responsibility. Lord Ripon thought the present measure rested on principles almost diametrically opposite to those on which the original one had been founded. He objected particularly to the

omission of the redemption clauses; to the having recourse to the consolidated fund, and the perpetuity fund, which would be unnecessary if four-fifths were substituted for three-fifths; and to the deduction of twenty per cent to be given to the landlords, a sum which must come essentially out of the pockets of the clergy, while no attempt had been made to show how the landlords, a class more interested than any other in the welfare of Ireland, came to be entitled to this increase of their incomes.—The duke of Richmond was strongly influenced by dread of the misery which the clergy would have to undergo, abandoned to be persecuted by the agitators who, with religious liberty on their lips, hated the Protestant religion, and particularly the parochial clergymen, because, by their preaching and example, they had great influence in extending that religion.—The earl of Ripon, on the other hand, while he admitted that the condition of the clergy would be sufficiently painful, said, there might be circumstances in which it would become still worse; and he did not think those persons reasoned justly who proceeded on the miserable plight to which the rejection of the bill would reduce the clergy, looking to the sufferings and privations which they were compelled to endure, and the dangers with which they were surrounded, even to the loss of life, under the present system. In proportion to what they suffered, was it binding on the honour and common charity of the house, to deal tenderly with their interests, and not aggravate their distress, by laying hold of their

property for the mere sake of giving twenty per cent to the landlords, a boon which, it appeared, they had, if not suggested, at least voted in their own favour.

On the division, the bill was thrown out by a majority of sixty-seven, there being for the second reading, 122, consisting of 51 peers present, and 71 proxies; and against it 189, consisting of 85 peers present, and 104 proxies.

Besides these measures, a bill was brought in and passed, to amend and extend the Irish temporalities act of the preceding session. Under that act, the church cess was to be done away with, and the purposes to which it had been applied were to be provided for by the ecclesiastical commissioners, from the monies which the act placed at their disposal. The act, however, had not passed before Easter; and it contained no clause, making it retrospective in relation to vestry cess. The consequence was, that the vestry cess for 1833 remained unpaid, and the commissioners were unable to meet the demands of the present and previous year, amounting to 80,000*l.* or 90,000*l.* It was expected, however, that in the course of the present year, they would be in possession of upwards of 107,000*l.*; and it was, therefore, proposed that the treasury should, in the mean time, advance to the ecclesiastical commissioners a loan of 100,000*l.* on the security of the church property. Lord Althorp, having stated that he was more confident than ever that the money already advanced to the Irish clergy would be repaid, Mr. O'Connell expressed his regret at

such a declaration, for that repayment could not be effected without violence, and they would get more blood than money, if they attempted to enforce it. In his hatred of every thing which had the appearance of a payment into the hands of dignitaries of the established church, even though for the benefit of all religions, he seemed to disregard the plainest

claims of charity and decorum; at least, he was reported on this occasion to have said, that he objected to parishes being taxed for the purpose of putting into a coffin the remains of a person who had gone naked all his life, and to the provision for destitute children, as being merely another form of the system of foundling hospitals.

CHAP. V.

State of Ecclesiastical Questions, and the Claims of the Dissenters in England—Petitions for Separation of Church and State—Motion in the Commons to exclude the Bishops from Parliament—Petition of some Members of the University of Cambridge to Admit Dissenters to take Degrees—Motion for an Address to the King to Recall the Regulations Preventing Dissenters from taking Degrees—Motion withdrawn, and Leave given to bring in a Bill to effect the same Object—Counter Petitions from Cambridge and Oxford—Debate on the Second Reading of the Bill for the Admission of Dissenters—Speeches of Mr. Estcourt, Mr. Wynn, Mr. Spring Rice, Mr. Goulburn, Mr. Stanley, and Sir R. Peel—The Bill is Passed—Debate on the Second Reading in the Lords—Speeches of the Earl of Radnor—The Dukes of Gloucester and Wellington—Lord Melbourne—The Lord Chancellor—The Bishop of Exeter—The Lords reject the Bill—Motion in the Commons for the Abolition of Church Rates—The Motion withdrawn in respect of Government being about to introduce a Measure to Relieve the Dissenters from Church Rates—The Ministerial Plan is laid before the House—The Dissenters violently oppose it, and it is withdrawn—Bill to authorize the Celebration of Marriage by Dissenting Clergymen in Dissenting Meeting-houses—Is opposed by the Dissenters, and withdrawn—Petitions for commutation of Tithes—Resolutions and Plan of Ministers for Commuting Tithes—The Measure is not proceeded with—Proceedings in the General Assembly of the Church of Scotland regarding Patronage.

ALTHOUGH, in the case of the Irish church, the resistance to the payment of tithes, and the repeated attacks upon her constitutional securities, derived much of their rigour from the bitterness and animosity with which Popery regarded the Protestant establishment; they were connected with, if they did not proceed from, a much more general spirit, busily operating in every part of the united kingdom, and carefully nourished and skilfully directed by political agitators.

The reform act had consecrated the principle that the predominance of political power should rest with the mass only of mere numbers, and had produced the unavoidable result that the majority was always to be found amongst the lower classes of the constituency. Every man who possesses power, is naturally led to consider how it can be applied to serve his own interest. Although the great majority of the inhabitants of England adhered to the established church, the

Dissenters formed a numerous body, possessing, in many instances, great respectability, wealth, and influence. Thinking that the very fact of the existence of an established church, supported as a national institution, and represented by its dignitaries in the highest branch of the legislature, stamped them, as religionists, with a mark of inferiority, it was not wonderful that they employed the power, with which they were now invested, to bring down the established church to the same level on which they themselves stood; annihilate all the rights, powers, and privileges which belonged to its members; and, by depriving it of all support from the funds of the state, convert it into a self-constituted religious community. The occasion was the more favourable for the enterprise, in consequence of the unsettled and uncertain state in which all things now were, and the hopes held out by a ministry who seemed to find concession to all sturdy beggars the easiest mode of leading a quiet life. In many places the Dissenters could turn the fate of an election; it was they alone who returned Mr. Rice for Cambridge, in opposition Sir Edward Sugden. Principles, too, which formerly would have been propounded as matters of speculation, had now become the subject of daily discussion, glibly and dogmatically laid down in parliament as the ground work of practical legislation, and countenanced, to a certain extent, by the house of Commons itself. Papists detested the doctrines of the Protestant church; but no less did Dissenters, though they might not quarrel with the doc-

trines of the thirty-nine articles, detest the liturgy of the church of England; and, in their eyes, its episcopalian form of government was an abominable and unchristian corruption. Why, then, should those who were not of the church of England, be burthened with tithes and church rates for its support, any more than the Catholics of Ireland for the support of the reformed religion to which they did not belong? Methodists and Presbyterians differed widely from Catholics; but Catholics, Presbyterians, and Methodists all differed widely from the episcopal church of England. The Catholic of Cork or Clonmel, no longer paid church cess to maintain the Protestant altars; why then should similar imposts be laid on the dissenters of Halifax or Huddersfield, to maintain the dignity of the episcopal mitre? This was an abuse; the reform act was valuable only as a means of removing abuses; whoever, therefore, refused to relieve dissenters from the necessity of supporting a church which they did not acknowledge, was an enemy of reform, an oppressor of the people, and a secret plotter against the new constitution.

The next step was unavoidable, or rather it was implied in the principle that Dissenters should pay nothing on account of the church. As the established church was still the church of an overwhelming majority of Englishmen, Dissenters could not admit that this fact should be an element in the question; for, in that case, their demands were at an end. They were compelled to say, that if the majority chose to have a church holding certain

doctrines, and governed by a particular ecclesiastical constitution, they were entitled, no doubt, to do so, for toleration should be universal; but they ought to enjoy it exclusively at their own expense. This, again, necessarily led to the adoption of the principle that there ought to be no established church; that the state should show no particular favour to any particular creed; that the public purse ought either to supply equally the means of religious instruction to all the various denominations into which Christianity should be split down, or to none: that as every man was at liberty to join that sect whose doctrines and government he thought best, so each religious body ought to support all the expenses of its own worship; and that any connexion between the state and a church, led only to corruption in the latter, while it implied, in its very nature, tyranny in the former, by compelling one man to pay for the religion of another, in opposition equally to reason and scripture. Dissenters might sincerely hold that the established church was unsound in its doctrine, corrupt in its practice, and God-dishonouring in its government. It was right that they should tolerate even such a nuisance, though to the pollution of their own purer and more apostolic atmosphere; but why should they be taxed in order to support it? In accordance with these views, various petitions were presented to parliament in the beginning of the session, complaining of the burthen of the church of England, and praying for a separation of church and state, that is, for the abolition of the

established and national church, leaving its members to maintain their place as they best could, as a voluntary association, like other religionists. Nor did they want for supporters in parliament. To those, whose expression of such opinions was that of an honest belief, were added all who looked merely at the rich prize which might be gained in church property, if the church were destroyed; all who openly professed that no religion should be established, because they privately thought that any religion was a mockery; all who wished to use the spirit of innovation as a political engine, gradually undermining old political institutions; all who found it prudent from their own political situation to prate the popular jargon about "reform," and "civil and religious liberty." These petitions did not lead to any practical result, except that of producing a strong expression of opinion of an opposite kind, and calling forth hosts of petitions praying parliament to preserve the church inviolate. The movement was premature; the country was not yet sufficiently prepared to acquiesce in such demands, and put itself in a posture of defence, before the attack could be arranged. So far, likewise, ministers fulfilled their declarations to listen to no proposition for the destruction of the church; and Lord Grey, and the best of his colleagues would have stood by that resolution; but no such proposition was made; and the failure to make it, especially towards the end of the session, arose not from any dread of the victorious and unbending firmness

of the government, but from respect to the opinion of the country, which enabled the ministry to be valiant without danger, and threatened, if called into more energetic action, to dispossess the enemies of the church of all the outposts which they had gradually been gaining.

On the 13th of March, however, an attack was made on the bishops, which showed that the danger was not of a kind to be disregarded. It was a motion made in the house of Commons by Mr. Rippon, member for the new borough of Gateshead, to expel the bishops from the house of Lords—for such was its meaning, although he insidiously, and perhaps he thought, cunningly and cleverly, put it in the form of a motion for leave to bring in a bill “to relieve the archbishops and bishops of the established church from their legislative and judicial duties in the house of peers.” After adverting to the usual topics of the necessity of purifying and reforming all institutions, and particularly the church, which had not been reformed for a long time, he told the house that he would not occupy their attention with historical facts or deductions as to the origin and nature of this right of the bishops. Even if they had been useful at a time when they formed, if not the only well-instructed, yet the best-instructed class of society, that state of things no longer existed. Their continuance in parliament, therefore, was unnecessary and might become dangerous. In every view their legislative and judicial functions were inconsistent with the nature of their office, and with the purity of the church. The crying

abuses in the church at present were pluralities, non-residence, and unequal distribution of its wealth—and all of these, Mr. Rippon maintained, were connected with the parliamentary duties of the bishops. They were made pluralists by having political functions superadded to their religious duties; they were compelled to be non-resident by being called to attend in the house of Lords; and they were made to furnish excuses for the unequal distribution of ecclesiastical wealth, by the plea of extraordinary expenses occasioned by this “political abduction.” As legislators, they could be neither independent nor impartial. A bishop was made by a minister; and instances were not wanting of private interest and political intrigue being stronger recommendations than piety and learning. The system of translation, too, made them, to a certain degree, dependent on ministerial favour, and tempted them to sacrifice their integrity to their interest. Neither could they be impartial, for they necessarily were opponents of every change by which their wealth and eminence might be diminished. Accordingly, the tendency of all church establishments connected with the state had uniformly been, and ever must be, to resist political improvements, because they knew that such improvements would not probably increase, but might possibly curtail the opulence and advantages which they enjoyed. An established church had supported the despotism of the Bourbons in France and Spain, and of Don Miguel in Portugal. Even the

exception of the conduct of our own bishops towards James II., confirmed the rule; for they did not oppose him, till he let out his design of substituting popery for the reformed religion, and they were contending for the supremacy of their own church as much as for religious truth or constitutional liberty. The conduct of the bishops in regard to the reform bill and subsequent measures showed, that, instead of using their legislative power in favour of measures tending to promote the public welfare, they had been mere partisans of their political creators. The only argument always put forward in their defence—that it was fit and proper that the church and the property of the church, should be represented in parliament,—was a mere fallacy. The bishops were not elected by the clergy; they were named by the crown. They had no *veto* in ecclesiastical questions; they could not establish or annul one article of faith. It was preposterous to suppose that thirty united voices in an assembly of more than 400 persons, could have any controlling influence. All just and proper measures for the government of the church, which might be suggested by the bishops out of parliament, would be received by the legislature and by the people with equal attention, and with less distrust than when advocated in the senate by interested parties. Besides, the clergy enjoyed, in virtue of their property, the right of voting for members of the house of Commons; and if their advice or opinion were required upon ecclesiastical matters, the bishops might be summoned in the same

manner as the judges. Let them be disrobed then of their political livery, and show that they do not accept the oversight of the flock for worldly gain. The ministry of the word afforded sufficient employment for the apostles, and so it would for their successors; for who could believe, looking to the extent of jurisdiction given to bishops in this country, that sufficient occupation for their time would not be found within their respective dioceses? With what grace could the village pastor be required to reside among his flock, when the spiritual overseer, whose duty it was to watch over hundreds of parishes and pastors, was far away from the scene of his duties, mixing in the contentions of the senate, or moving in the splendor of a court?

The motion was seconded by Mr. Gillon, a Scotch member, who, being likewise a member of the Scotch church, necessarily entertained a true Presbyterian abhorrence of bishops and their “ill-mumbled mass,” whether within or without the walls of the house of Lords. He repeated the arguments of the mover, and maintained farther, that the legislative functions of the bishops impaired their usefulness, and made them be regarded with jealousy and suspicion, rather than with the reverence and awe which ought to attend upon their office. He likewise contended that the act of parliament passed in 1801, excluding persons in holy orders from seats in the house of Commons, had, in fact, decided the principle that bishops ought not to sit in the house of Lords; for, as Mr. Fox and the present Earl Grey had then main-

tained, every argument in favour of exclusion in the former case, applied equally to the latter. He would willingly concur in excluding all endowed clergy from either house, on the broad ground that they could not efficiently perform the duties of both characters; it was unjust to the inferior clergy and to the constituency, that a clergyman who chose to separate himself from his calling, and devote himself to secular affairs, should be incapable of being elected; and the injustice was inconsistently glaring when the right was extended to bishops, even amid the serious and varied duties of their episcopal functions. If a precedent was wanted for their expulsion, it would be found in the exclusion of the whole peerage of Ireland except the twenty-eight representatives, though their right had been a hereditary birthright. Lastly, was it just that the legislature should contain the ecclesiastical representatives of one church and of one sect alone? Why were they to be more favoured than the established church of Scotland, or than the millions who, in every part of the empire, conformed not to the favoured creed.

Lord Althorp rose, and made, in vain, reiterated attempts to obtain a hearing. He was only allowed to say, that he would meet the motion with a direct negative. The house did not seem to think the matter one that required to be argued, and called clamorously for a division. Speeches, however, in support of the motion were listened to from various members, among whom were Mr. O'Connell, Mr. Sheil, and Mr. D. W. Harvey. The last of these gentlemen, ac-

knowledging that he owed his seat to Dissenters, gave fair warning of what were their ultimate designs, in which he himself fully participated. "At no very distant period," he said "the house would be called on to discuss the question, not whether it should continue the bishops in possession of their seats in the house of Lords, but whether it should maintain a church establishment at all. At present there was a concessory and conciliatory spirit animating the Dissenters; and whenever he had heard it said, that the Dissenters wished to seize upon the revenues of the church, he had denounced it as a foul and false calumny upon their principles and feelings. This, however, he must say, with regard to the question of separating the church from the state, that if the Dissenters could not effect it by the fair and legitimate means of free and open discussion, they must effect it by those other means of influence which appealed more powerfully to the interests of mankind. The church of England would fall, when it ceased to have revenues, and therein consisted its worldly character." Not a word was uttered in defence of the parliamentary functions of the bishops by any one of the ministry, or even by any of the party which was considered to contain the friends of the church. This silence proceeded from confidence that the motion would be lost, and partly perhaps from an idea that the argumentation used in support of it was not of such a kind as required to be exposed. Mr. Tennyson alone spoke against the motion, although he ventured gravely to assure the

house, that "great excitement prevailed in the country on the subject." Even he by no means opposed the motion *in toto*, or denied its principle. He only thought that there were too many bishops in the house of Lords, and would prefer a system of rotation. He thought, likewise, that this was not a proper time for entertaining the proposition. It was part and parcel of the great question of church reform, and it was not quite fair to the established church to deprive them, as a preliminary step, of all their representative support in the house of Lords. They were bound to wait, in order to see what proposition government would make on that subject. No doubt they would be prepared with some measure. They were now waiting for the report of the ecclesiastical commissioners, which, by suggesting some equalization of the emoluments of the bishops, might render the presence of some of them less objectionable. On the division the motion was supported by a minority of 58 against 125, a much larger minority than appeared to have been anticipated even by those of whom it consisted, and who therefore hailed with loud cheers the announcement of their numbers. Among them were more than one of the ordinary supporters of the ministry, who had thus an opportunity of seeing how the question stood in the feelings of the house without pledging themselves to any opinions farther than was implied in their votes.

Among the grievances of which the Dissenters complained in their numerous petitions, none made a greater figure than their practical exclusion from taking degrees in

the Universities of Oxford or Cambridge, in consequence of its being required as a preliminary, that they should conform to the church of England, and sign the thirty-nine articles of its creed. They demanded, as a matter of civil right, that all religious tests should be abolished, and the Universities thrown open for the education and graduation of men of all creeds. As it was clear that their chance of success would be infinitely increased, if they could state a feasible case of the concurrence of these learned bodies themselves in this opinion, exertions were made to get petitions from the Universities. In one of them they succeeded. On the 21st of March, earl Grey presented, in the house of Lords, a petition from certain members of the senate of the University of Cambridge, praying for the abolition by legislative authority, of "every religious test exacted from members of the University before they proceed to degrees, whether of bachelor, master, or doctor, in arts, law, and physic. In praying for the abolition of these restrictions, they rejoice in being able to assure your hon. house, that they are only asking for a restitution of their ancient academic laws and laudable customs. These restrictions were imposed on the University in the reign of king James I., most of them in a manner informal and unprecedented, and grievously against the wishes of many of the then members of the senate, during times of bitter party animosities, and during the prevalence of dogmas, both in church and state, which are at variance with the present spirit of English law, and with the true principles of Christian toleration.

“Your petitioners conscientiously believe, that if the prayer of this petition be granted, the great advantages of good academic education might be extended to many excellent men who are now, for conscience sake, debarred from a full participation in them, though true friends to the institutions of the country; and your petitioners are convinced that this is the best way at once to promote the public good and to strengthen the foundations of the civil and ecclesiastical establishments of this realm.

“The University is a body recognized by the law of England as a lay corporation, invested with important civil privileges, and on that account resting on no secure foundation which is not in harmony with the social system of the state. Your petitioners therefore humbly beg leave to suggest, that, as the legislative bodies of the United Kingdom have repealed the Test Act, and admitted Christians of all denominations to seats in Parliament and to places of dignity and honour, they think it both impolitic and unjust that any religious test should be exacted in the University, previously to conferring the civil privileges implied in the degrees above enumerated.”

On the presenting of this petition, as well as on other occasions, there was much incidental discussion of the merits of the demand, which ministers declared to be just and proper, and to be one which they were determined to render effectual, if they could; but any statement of the arguments used on these occasions would lead only to irksome repetition in what is their proper place, the progress of the bill

which was subsequently introduced. In regard to the petition itself, earl Grey stated, that it was signed by sixty-three members of the University; a number bearing a most respectable proportion to the whole number of members of the senate generally resident in that University. The number generally resident, he was told, was somewhere between 170 and 180. The number of persons, by whom the petition was signed, amounted therefore to more than one-third of the actual residents. From the resident members of the senate, there must be deducted several who, from age, infirmity, and other causes, seldom took part in the affairs of the senate; and several members of the senate, who had not signed the petition, to the number of eight or ten at least, were favourable to its prayer. It was signed by two heads of houses, nine professors, and eleven tutors of colleges, comprising some of the most distinguished men in the University. It was only necessary to mention such men as professors Airy, Sedgwick, Musgrave, and Lee. These were men equally eminent for their scientific attainments, and the excellence of their characters; and assuredly they were men who could not be suspected for a moment of harbouring any design against the established church. If it was asked, why this application had not been made to the senate of the University, the answer was, that, under the existing system, the petitioners had it not in their power to proceed in that manner with any chance of success. By the constitution of the senate, it was in the power, not only of the caput, but of every individual of

that body, to put a *veto* on any proposition that might be made. Two attempts had been made to bring the case of the Dissenters before that body, in last Michaelmas and Hilary terms; but on both occasions it had been met by the caput with a positive negative. The petitioners had no chance of succeeding where such a power existed; for if nine-tenths of the University of Cambridge were in favour of a particular measure, though it might appear to be for the interest of the University or of the church, yet any one member of the caput might, by exercising this prejudicial *veto*, put an end to it. Such was the reason which induced the petitioners to come to that house. The object of the petition he considered to be in itself just and reasonable, and calculated to conduce eminently to the interests of the established church.—The Duke of Wellington remarked, that this petition, notwithstanding all that had been said, was nothing more than the petition of a dissatisfied minority, though consisting of most respectable individuals, praying the house to interfere with the regulations of the University, in defiance of the opinion of the immense majority of the senate. That body consisted of nearly 4,000 individuals, of whom only sixty-three joined in the application; and such being the opinion of the body, the caput only did their duty in objecting to the discussion. He called the attention of the house likewise to the vagueness of the petition. Who were “Dissenters?” Some differed from the established church only in one or two articles, others did not agree with her in any; some

denied the Trinity, some were Deists, and some were Atheists. It thus became a very serious question, whether power in the Universities should be conferred on all persons who might be comprehended under so vague a denomination.

On the 24th of March the same petition was presented to the house of Commons by Mr. Spring Rice, with a similar statement as to the numbers and high character of the petitioners, and a similar declaration, that what they asked ought to be granted.—Mr. Goulburn, one of the members for the University, dissented entirely from the views contained in the petition, and begged the house to bear in mind, that it was admitted that it bore the signatures of only two out of seventeen heads of colleges, of nine out of twenty-five professors, and of eleven out of seventy-four gentlemen engaged in the tuition of students; so that out of 116 persons composing these three classes, only twenty-two had signed the petition. He mentioned this circumstance, not with any view to undervalue the weight and character of the petitioners, but because he felt the house was bound to bear in mind the number, as well as the weight of those whose names did not appear appended to the petition. The absence of those names did not arise from any want of invitation, but solely from the non-concurrence of the other distinguished personages of the same class as the petitioners in the prayer of the petition. He undervalued no man’s opinions, still less those entertained by the petitioners; but he could mention names equally deserving the

attention of the house, and who would not be ashamed to stand in comparison with the petitioners, but which were not attached to the petition. This, he was sure, the petitioners themselves would be the first to confirm. Admitting, therefore, as he did to the fullest extent, that the petition came before the house fortified by the respectability, character, and attainments of the distinguished individuals who had signed it, yet he must contend it did not come with that mighty weight which usually characterized petitions emanating from that learned University; in short, the petition was that of a minority—a small minority of the resident members, and a still smaller minority of the whole body. He also begged the house to observe the very limited nature of the prayer of the petition, which was only that Dissenters should be permitted to take the degrees of bachelor, master, and doctor, in arts, law, and physic. Thus the gentlemen who had signed the petition, so far from going the length of calling upon the house to accede to the claims preferred by the Dissenters, had taken a course most consistent with their distinguished character of fairness and justice, by announcing at the threshold of this discussion, that the most important of those claims they intended to resist. The Dissenters in their petitions sought to be admitted to the full privileges, benefits, and emoluments, of the Universities, and to stand upon the same footing in that respect as the members of the church of England. Now, as it was notorious that the honours and emoluments depended upon the

endowments of scholarships and fellowships, &c., of individual colleges, the exclusion of Dissenters was inevitable. The house, therefore, would not suppose that the gentlemen whose names were attached to this petition, concurred in the general claims put forth by the Dissenters, but, on the contrary, (should the time ever arrive when a question should be raised as to the participation of Dissenters in the emoluments of the Universities), he was confident that the petitioners would be as firm in their resistance to such a claim as those who doubted as to the propriety of the prayer which they had now made to the house. The petitioners did not even seek to admit Dissenters to all degrees in the senate-house. To such a prayer he did not hesitate to say, that the main body of the University were most decidedly opposed,—not upon any bigotted feeling,—but on the general principle, that the Universities of this country were instituted for the education, not only of the members of the established church, but of those who came to them, in the doctrines of that church.

The discussions on these petitions, merely anticipating what would require to be renewed on another occasion, seemed to be intended, on the part of government, to try the temper of the house, and ascertain the views of the different parties. The subject, said Mr. Stanley, was new to the house, and he was not yet prepared to say to what extent the relaxation of the restrictions ought to go, or what would be the best mode of effecting it; but the discussion of the petition would do much to bring men's minds to consider all

the bearings of the subject. No motion was, therefore, made till the house assembled after the Easter recess. The restrictions in question had originally been imposed by an edict or letter of James I.; and some suggested, that the same authority, which imposed could remove them.

On the 17th of April, Colonel Williams moved an address to the king, "requesting his majesty to signify his pleasure to the Universities of Oxford and Cambridge respectively, that these bodies no longer act under the edicts or letters of James I., 1616, by which he 'would have all who take any degree in schools to subscribe to the three articles' of the thirty-sixth canon, with the exception of those proceeding to degrees in divinity; nor to require the declaration, namely, 'that I am *bona fide* a member of the church of England,' nor any other subscription or declaration of like effect and import." He did not, however, admit the legal powers of James to impose those limitations which had not previously existed, and contended that the Universities were acting illegally in continuing these tests, unless they could show that king James was entitled to ordain them. But if there was no royal prerogative by which the crown could legally impose these limitations, it would appear the crown was equally void of power to remove them. The illegal practice, if assumed to be so, even though resting on the will of the king, would have been brought to an end by a declaratory act, if it was not thought fitting to try the question of its legality in a court of law. If, again, to enact and to recal such

regulations was a prerogative of the crown, it did not seem agreeable to the constitution that the Commons should take the initiative in substituting for the prerogative, an act of parliament to which their own consent would be necessary. Although the king might legally recal his own order, he could not repeal an act of parliament. The address implied, that the crown had power to change such regulations; a bill would declare, that for the future it should be deprived of that power, for though the king might recal his own order, he could not repeal an act of parliament.

By bill, however, it was determined to proceed; and Mr. Wood, one of the members for Lancashire, moved as an amendment on the motion of Colonel Williams, for leave to bring in a bill to grant to his majesty's subjects generally the right of admission to the English Universities, and to equal eligibility to degrees therein, notwithstanding their diversities of religious opinion, degrees in divinity alone excepted. This amendment became the main question in consequence of the motion for an address being withdrawn; and after a discussion, in which even the introduction of the measure was opposed by Mr. Goulburn, Mr. Estcourt, and Sir Robert H. Inglis, three of the four members for the Universities, (the speaker being the fourth) it was carried by a majority of 185 to 44. Although the Cambridge petition had been presented in both houses by members of the cabinet, and although, in these discussions the government declared its entire concurrence in the prayer of the petitioners, neither the proposition for

an address, nor that for a bill, was brought forward by ministers. Favourable as they were to such a measure, they hoped, they said, that, as a portion of one of the Universities was already inclined to it, the object, by allowing some time for consideration, might be effected with the concurrence of these learned bodies, and in a much better form, and to much better purpose, than if they were made reluctantly to act under the compulsion of a statute. They wished, therefore, that neither parliament nor the government should be pressed or hurried to intermeddle, before they could take up the matter with the prospect of terminating it in the best and most satisfactory manner. The Dissenters, however, and their friends, took the matter into their own hands, and pressed on. Ministers would not incur the risk of preventing them; but took no lead in the conduct of the measure, though they supported it by their speeches and votes.

Before the bill was brought in, the real opinion of the Universities had been expressed. On the 21st of April, the duke of Gloucester, chancellor of Cambridge, presented a petition from that University, signed by 258 members, comprising eleven heads of houses, eight professors, and twenty-nine tutors; and a second petition signed by 755 under-graduates and bachelors out of 1,100. Both petitions prayed the house not to grant the prayer of that which had received the sixty-three signatures. His royal highness stated, that so soon as he learned (and it was only from the newspapers), that such a petition was to be presented, he had written to the

vice-chancellor, expressing his astonishment at not having been apprised of its contents, and desiring to know whether it embodied the sentiments of the University, generally speaking. The answer which he received from the vice-chancellor was, that he had no knowledge of the petition; that the utmost secrecy had been observed in getting it up; that he could not even tell what was its prayer, nor could he say by whom it had been signed, but that he would obtain, as soon as possible, the general opinion of the University;—and the result had been the present petition.—Earl Grey observed, that these were not all resident members, whose total number amounted to only 193, and that they had been assembled at Cambridge for this special purpose; but his lordship did not point out any good grounds why the senate of the University of Cambridge should be considered to consist only of the resident members. Even on that footing the petition was opposed by an overwhelming majority. But the true way to get at the opinion of the University, was to consider the matter as having been brought before the senate. Would only the members regularly resident have been allowed to attend? Would their opinions have been of less weight, because they deemed the subject so important as to require their attendance? On such an occasion, even admitting lord Grey's statements, that seven or eight members were favourable to the petition, though they had not signed it, the petitioners would still have been in a minority of more than three to one. Accordingly, a grace having been pre-

sented in opposition to the former petition, those who had signed that document took advantage of the constitution of the University, and put a veto on the senate entertaining a proposition which, if entertained, would have been adopted by so overpowering a preponderance of numbers.

On the same day, a similar petition was presented to the house of Commons by Mr. Goulburn, who stated, that of the signatures, 120 were those of members regularly residing in the University, and conducting the system of education there pursued, being nearly double the number of those who had signed the former petition. The heads of colleges who signed it, comprised the masters of St. John's, of Trinity, and of Queen's colleges — the most numerous bodies in the University—persons, therefore, well qualified to judge of the effects of the intended change. It was signed by eight professors who, without disparagement to any body, were the best deserving of attention within the walls of the University, and among them were all the professors of divinity. The former petition bore the names of eleven tutors, the present, thirty-one; and the latter presented the names of sixty-nine wranglers, many of Smith's prize men, and twenty-six gentlemen, who had obtained the highest classical honours. Political opinions had nothing to do with the matter; the petitioners came to the house with a sincere desire to promote the best interests of the University, and expressed their conviction that, if the proposed measures were adopted, its destruction must follow.

On the 9th of May, Mr. Estcourt

presented a petition to the same effect from the chancellor, master, fellows, professors, and students of the University of Oxford. A second petition from the University of Cambridge was signed by 1000 members of the senate who had not signed the first. A petition from Mr. Sergeant Frere, the master of Downing college, Cambridge, declared, that if he complied with a bill for the admission of dissenters to the Universities, he would be guilty of a violation of the oath he had taken to preserve the ecclesiastical mode of education adopted in the college of which he was the master, and prayed that he might be heard against any such bill.

Although Mr. Wood brought in his bill soon after the Easter holidays, it was not till the 20th of June that he was enabled to move the second reading. Mr. Estcourt moved the amendment, that it should be read a second time that day six months. He argued that the course of education pursued at Oxford and Cambridge was strictly and essentially a religious education, and the supporters of the bill could not succeed in their object without destroying the religious part of the system. This was, in fact, the aim and end of the Dissenters—to introduce an education which would lead to the dissolution of the connection between church and state, in other words, to the destruction of the established religion of the country. He did not know why this application for a change in the studies connected with the support of the church should come from Dissenters from the church. No complaints had been made by the members of the church; why,

then, should their privileges be taken from them? The academical education pursued at the Universities could not be separated from religion, nor from the religion of the church of England; and in proportion as that education was demolished, weakened, or counteracted, the church system itself would be undermined. A committee of the London University had said in a report, that "Where persons of different religious opinions were to be instructed, no religious instruction could be sufficiently imparted in a system of academical education, without a compromise of religious opinion." The correctness of this opinion no one could doubt; and, therefore, if Dissenters were to be admitted, religious education must be expelled. It had been urged, that the number of Dissenters would be too small to injure the Universities. A similar argument had been used in behalf of Catholic emancipation, and the whole country was now acquainted with the result of it. As legislators they ought not to argue in so partial a manner; for whether the Dissenters admitted to the Universities were many or few, the result would be the same. If there was only one Dissenter admitted, the religious opinions of that one must be respected. In lectures there must be a forbearance shown to his feelings, or else he would not attend them. It was, however, a very different matter whether the absence of a Dissenter from chapel was permitted by connivance, or whether he could say—"I will not be forced to attend your chapel, for I have the act to defend me." He further contended that the bill,

even if passed, would be found to be environed with difficulties. The statute of examination required a knowledge of the thirty-nine articles. It was to this effect:—"Let the articles also of doctrine put forth in the synod of London, in the year 1562, form part of the subjects of examination, in which articles, according to the statutes of the University, tutors are bound to instruct pupils committed to their tuition." How could this statute be complied with, when the University was filled with Dissenters? The statute then proceeded—"Touching the points of doctrine themselves, let there be first questions proposed, short and clear; then let the candidate be called upon to adduce those passages of Scripture by which the particular doctrine under consideration may be principally proved. Furthermore, the evidences, as they are called, or the arguments upon which rests the truth of religion, natural as well as revealed, are by no means to be omitted out of this examination." How would the Dissenters avoid compliance with this statute? He supposed that the answer would be by this bill. Then, this bill would be a direct interference with the internal legislation of the Universities. Now, there was no precedent for any such interference by either house of parliament. If this was a good precedent for interference with the Universities, it was also a good precedent for interference with all corporate bodies, and indeed for the infraction of every public and private right. Then, as to the statutes about admission, what was to be done with the heads of houses, at whose discretion young men were

at present admitted into the Universities? Were they to admit anybody and everybody who applied to them, or were they to have the same privileges which they enjoyed at present, with regard to the members of the established church, but that with regard to Jews, Unitarians, and atheists, they must exercise no discretion, but admit them at once, as matter of course? If that were to be the case, this legislation was not only useless; it was positively insulting to the University. In regard to the complaints directed against the University system as being a monopoly, they could influence only those who were ignorant of the real question at issue. If there was no such thing as an established church, he could understand the grounds upon which these complaints were founded. But there being an established church, to which the Universities were attached as a part, the Dissenters had no right to complain of them as a monopoly. They were specially founded for the propagation of the doctrines of the national church, and they answered the purposes of their foundation, by rearing a race of pious and learned clergymen for the service of that religion. This was the reason why the Dissenters, through the medium of this bill, were attacking the very existence of the established church, not openly and fairly, but under a species of disguise. After they had succeeded in destroying the established church, they might plausibly enough say, "Why maintain these institutions, where you can no longer rear a pious and learned clergy for the service of the church?" But the Dis-

VOL. LXXVI.

senters knew well, that, so long as there was a pious clergy to instruct the laity, there would be a pious laity to defend the church, and, therefore, they felt that they would not be able to make any progress in subverting the established church, so long as the Universities existed with their present privileges. There was no precedent to be found of parliament legislating for the two houses of Convocation in the two Universities.

There had sometime been communications between parliament and those bodies, but never till now any interference by parliament with the legislation of either of them. It could not be said that this bill did not interfere with their legislation, for one of the clauses was to this effect:—"That no statute, law, ordinance, decree, or grace, made or passed by any authority whatsoever in any of the said Universities, or in any of the colleges or halls within the same, shall in any manner obstruct, limit, or qualify the plain intent and obvious meaning of the foregoing enactments; but such statute, law, ordinance, decree, or grace, shall be to all intents and purposes void and of no effect." That clause put an end to the constitution of the Universities. In the next session of parliament they would have some gentleman or other, belonging to some dissenting, sect starting up and saying, "This restriction is too bad, and so is that; I must introduce a bill to take them both away. The Universities must not be permitted to legislate on such subjects—they must not make laws; but we must make new laws to meet our own views and answer our own purposes." If they were

[N]

prepared to reduce the ancient institutions of the Universities,—ancient beyond the memory of any of our kings,—to the state and level of the London University, he could understand the object of bringing in this bill; but if they wished those ancient institutions to continue in existence, and to retain their former credit, he could not conceive what was meant by a specimen of legislation which went to overthrow their entire constitution.

The amendment was seconded by Mr. Herbert, who enforced the argument drawn from the necessity of abandoning religious instruction, if Dissenters were admitted. It had been suggested that persons of all denominations might be taught the leading doctrines of morality and religion, without touching on debateable questions: but he doubted if this were possible, and he expected no advantage from a mere vague theology, an emasculated kind of instruction in Christianity and morals, producing no feeling of confidence or reverence in the minds of its pupils. It was necessary that men should receive an education preparatory to the functions which they were called upon to exercise as members of the church; but a bill like the present would operate as a direct exclusion of the clergy from the Universities, and every parish in England would feel the consequences. The Dissenters were opulent and intelligent; why did they not found colleges of their own, in which they might adopt whatever system of discipline and instruction they thought best? Let the Dissenters, if they pleased, hedge themselves round in their institutions with

religious tests calculated to exclude churchmen: churchmen would not object to this, or seek admission to dissenting colleges. Why should the Dissenters ask to be admitted to the Universities? If the Dissenters, having founded colleges of their own, could, at some future period, produce a list of names as illustrious in science, philosophy, and letters, as our Universities now boasted, they would obtain from their countrymen an equal tribute of applause.

Mr. Peter, Mr. Poulter, and Mr. Ewart, spoke in favour of the bill, contending that the alteration was necessary no less for the benefit of the Universities, than in justice to the Dissenters. In consequence of the present system, dissenters were impeded in their progress to the bar, by having to keep terms for five years instead of three, and were prevented from becoming fellows of the college of physicians for want of degrees. These were positive and weighty grievances which ought to be remedied. To require the subscription of the thirty-nine articles, instead of insuring sincerity in religion, generated hypocrisy, and indifference to all religion. Instances had happened where young men, having been called in to subscribe to the thirty-nine articles, had expressed doubts on certain points to the tutor, but were told that it was a matter of no importance whatever; that the articles admitted of great latitude of interpretation, and that the parties could put their own construction on them. Was this right? Ought subscription to be enforced on such terms? With respect to religious lectures and examinations, which had been

referred to as constituting a branch of collegiate discipline, it was true that persons were examined in the thirty-nine articles, and in the Old and New Testaments; but those examinations were rather tests of learning than of religion. Dissenters were admitted to residence and study, though not degrees, at Cambridge; why should not they be admitted at Oxford? And why not enable them to obtain degrees at either University? Justice required such a concession; good policy demanded it. The exclusive principles of the Universities were at one time less in hostility to the spirit of the age than now. When a vast majority of the people were attached to the established church, these principles, although objectionable, might find some sort of justification. That state of things had long and utterly ceased to exist. An immense body of Dissenters had grown up, and their just rights could no longer be refused. It was said, that these rights could not be conceded without abandoning the religious character and object of an university education; but why should not Dissenters be freed from the theology of Oxford or Cambridge, while it was still continued to members of the established church? At this moment there were great differences in the Universities. Frequently, in the same college you had different classes both of independent and dependent students; and yet who ever heard that these widely-marked distinctions and separations were inconsistent with the good government of the Universities? While some persons were receiving considerable emolument, others were put to a very

large expense, and both *in statu pupillari*. They had fellows, and students, gentlemen-commoners, and commoners, separated in their college halls, separated in their circumstances, and separated, more or less, in their society. If all this could exist with a perfect state of peace and order, why should a single exception in the nature of the studies of one class be destructive of all government? It had been urged that their admission would involve a violation of the obligations, and even of the oaths of the teachers of youth. If the legislature should interfere, a different regulation must be adopted, leaving the obligation to teach certain religious doctrines as it now stood, in reference to the members of the church, and doing away such obligation as to dissenters: *cessante ratione, cessat juramentum*. It was perfectly true that these institutions had been hitherto left to themselves; that the nation had hitherto left them to their own administration and government, accountable only to the ordinary rules of law, as applicable to private rights and private property. But that nation, which had hitherto been passive, had, at length, after a long series of years, seen the propriety and necessity of looking narrowly into its own institutions, with the view of giving them a more enlarged and more national usefulness.

Mr. C. W. Wynn was convinced that the present bill was the first of a series of measures, which, if not checked in time, must lead to the subversion of the established church, and the destruction of the other institutions of the country. He would not enter into the history of the Uni-

versities before the Reformation ; but this he would say, that, for the last two centuries and a half, the Universities were intimately connected and intertwined with the established church, and had been, during that time its main supporters and defenders. Now, his great objection to this bill was, that it went to destroy that connexion. If Dissenters were to be admitted to degrees in the Universities and to honours, they would have the power of interfering on every occasion, and ultimately of overturning the connexion between the established church and the Universities. If they were to be admitted to degrees, he did not see how they were to be excluded from the other university honours—how, for instance, they could be excluded from holding the offices of tutors, fellows, and heads of colleges. It was asserted, that this measure proceeded on the principle laid down in the Catholic relief bill. He had been for twenty-five years a supporter of Catholic emancipation ; but he would venture to say, that the Catholic relief bill contained no such principle as that Dissenters should be admitted to the Universities. On the contrary, a special exception had been made in the case of the Universities. The 16th clause of the Catholic relief bill was to the following effect—“ Provided also, and be it enacted, that nothing in this act contained shall be construed to enable any persons, otherwise than as they are now by law enabled, to hold, enjoy, or exercise any office, place, or dignity of, in, or belonging to, the united church of England and Ireland, or the church of Scot-

land, or any place or office whatever of, in, or belonging to, any of the ecclesiastical courts of judicature of England and Ireland respectively, or any court of appeal from or review of the sentences of such courts, or of, in, or belonging to the Commissary Court of Edinburgh, or of, in, or belonging to, any cathedral or collegiate or ecclesiastical establishment or foundation, or any office or place whatever of, in, or belonging to, any of the Universities of this realm, or any office or place whatever, and by whatever name the same may be called, of, in, or belonging to, any of the colleges or halls of the said Universities, or the colleges of Eton, Westminster, or Winchester, or any college or school within this realm ; or to repeal, abrogate, or in any manner to interfere with any local statute, ordinance, or rule, which is or shall be established by competent authority within any University, college, hall, or school, by which Roman Catholics shall be prevented from being admitted thereto, or from residing or taking degrees therein.” He ventured to say, that not one bill had ever been introduced, affording concessions to the Roman Catholic population of this country, and that not one measure of concession had ever been contemplated, which did not contain similar provisions. It had been most distinctly held out to the members of the church of England, that the Universities, as constituted, were a sufficient security for the church of England, and as such were to be retained unaffected by that measure. The legislature was now called upon to violate that to which it had pledged its faith not

five years ago. And on what grounds were they asked to do so? It was said that all exclusion was an evil. But was it not necessary, if this country was to maintain an established religion, that there should be seminaries set apart for instruction and education in the principles of the church of England, and in those articles of faith which were to be enforced by all who became members of that institution. It should also be remembered, that the subscription, which was required on entering the University, did not imply that the persons signing were complete masters of the subject matter to which that declaration related, any more than a child, who is brought to repeat the creed, is held to be a master of all the arguments in defence of Christianity. It was a mere declaration that the party making it adhered to the church of England. Admission, too, for the purposes of education was a very different thing from admission to the degree of master of arts, which constituted the person obtaining it a member of the governing body of the University in convocation, by which the rules of discipline and education were fixed. If Dissenters were to be admitted to this station, no man would know whether his son was to be educated by a Dissenter or by a tutor who held the opinions of the established church. He denied that the house of Commons was more competent to judge of scholastic education than were the Universities, who, for 250 years, had most ably regulated these important institutions. He preferred the statutes passed by the University of Oxford to any which by possibility could emanate

from the legislature. The bill was objectionable and dangerous in itself, but doubly so for what must inevitably follow. It was the first step, which, if once taken, would prevent the legislature from stopping, with any degree of justice, till they had made Dissenters eligible to all places, to all offices, even to fellowships in the Universities.

On the other hand, Mr. Spring Rice complained that it was unfair to treat the bill not according to its own deserts, but according to other supposed measures which might or might not be immediately connected with that now under discussion. Examining then this measure by its own merits, he admitted that the English Universities had produced men of the highest talent in arts, literature, and science; but this very fact formed his case. For, when men could attain the highest honours in an University—could gain the high honour of a senior wrangler, or be a medalist or first-class man at Oxford, he must say, what right was there to exclude any class of his majesty's subjects from the attainment of the honours to which his acquirements had entitled him? The chance of arriving at this honour, was all that the present bill gave to the Dissenters. What could be more inconsistently unjust than the practice of Cambridge, where Dissenters were admitted so far as instruction was concerned, but then excluded from every thing to which instruction ought to lead? Dissenters were admitted to the fullest and most complete course of study until the 12th term, when, on being brought into fair competition with their

fellow-students, the odious principle of exclusion interposed, and the Dissenter was told, that, however obedient he had been to the college regulations, however high the eminence he had acquired, still he should not be allowed the badge and symbol of those acquirements, simply because he might be a Dissenter. He really believed that so far from deteriorating from or endangering the church establishment, the approximation of Dissenters to the members of the church in the course of education would have a tendency to bring many within the pale of that church who otherwise would have continued Dissenters; and he denied that the mixture of persons of different religious persuasions at Cambridge had been injurious either to the University or to any other institution of the land. The house had the benefit of experience. Parliamentary interference had been exercised in respect to the University of Dublin, owing to the legislature having made a concession to the Catholics in the year 1793. Dissenters from the church of England were then admitted to degrees, but they were excluded from professorships, fellowships, scholarships, and all participation in the internal management of the University. And what mighty mischief had followed the admission? Was the University less orthodox in its principles—was it less a Protestant foundation than it was then? The zeal of its public instructors had not been lessened, nor their sphere for usefulness narrowed, by this interference. They had then, the case of Cambridge, the case of Dublin, and, as far as he could

learn, the example of the Scotch Universities, to warrant the admission of Dissenters. The opponents of this admission said, “You cannot do so and so, because the statutes of the University stand in your way.” But it was only the other day that, the presidency of Queen’s College, at Cambridge, having become vacant, when it was proposed to elect an individual eminent for his character and attainments, it was objected, that the head of the College must be in holy orders. That objection was got over, and the man of all others who was most adapted to the situation was appointed to the office, and thus Dr. King became president of Queen’s. If college regulations were thus made to give way to the convenience of an individual, why should Parliament be excluded from interference in a general way? Was it not a most absurd thing to exclude those who always must compose a mere handful in the University from the honour of a degree, although they might perhaps properly be denied the collegiate honour of becoming a fellow or scholar; for he limited the question to the principle of degrees. Let it be remembered, that those, on whom these exclusions would fall, were men of active and stirring spirits, men who would not stand still in the world, men who would excite, and probably guide the councils of those with whom they agreed in opinion. It had been said, that the Dissenters ought to found Universities of their own. He concurred in the argument; but the English Universities would not allow them to do so. When the Dissenters proposed to follow such a course, in order to educate the youth

of their own persuasion, and reward them with those honours which the Universities denied, and sought by this means to relieve themselves from the evils to which they were exposed, and to attain for themselves the privilege of securing the same species of honours, the Universities stepped forward and said, "We will not only exclude you from our Universities, but we will at the same time prevent your enjoying the advantages and privileges of an University of your own." If the Universities had boldly and fairly stated their refusal to alter their discipline, at the same time declaring, that for the sake of education, and to promote the successful results of education, they would not stand in the way of, but would wish success to the London University,—it would have been most satisfactory. But this double ground of exclusion and prohibition was most indefensible.

The colonial Secretary, who had just been saved by the Dissenters from the mortification of not being re-elected on his acceptance of that office, was answered by Mr. Goulburn. He argued that in proportion as the advocates of the bill enforced the danger of excluding the Dissenters, in the same proportion they rendered manifest the ruinous consequences of concession. If the Dissenters really deemed it so great a hardship, so intolerable a misfortune, to be excluded from the empty honour of a degree, what would they say if they were admitted to degrees, and found a bar raised against their admission to college emoluments and distinctions? What complaints would not proceed from the Dissenter, who, superior

in attainments to the churchman who might have stood against him, was obliged to yield to the man who differed from him in religious opinion? If the deprivation of a degree was such an intolerable burthen, what would the exclusion from substantial advantages be considered? And yet the very last clause in the bill evaded this part of the question, or rather reserved for a future and more favourable opportunity, the enforcement of this part of the Dissenters' claims. When it was said, by the colonial secretary, that Dublin furnished an instance which proved the absence of all danger from the admission of Dissenters to degrees, the example was an unhappy one in itself, and not fairly stated. In Dublin these degrees conferred no power of government, and on this point all the merits of the intended comparison turned. Moreover, an Irish member had a motion on the order-book, requiring that Dissenters should be placed on the same footing with the members of the establishment, in respect of fellowships and scholarships in Dublin University; and he had urged as a plea for his motion, that, as we were about to admit Dissenters to degrees in England, he saw no reason why Dissenters in Ireland should not have the same advantages which those degrees conferred in England. The time, indeed, was, when they declared that it was as far from their future desire as their present hope to possess themselves of such power. Nay, it was not long since they had heard the repeal of the union vehemently contended for by a learned gentleman, who had once declared that he

never, by any possibility, could be brought to entertain such an idea. Yet, with these, and similar examples before him, the colonial secretary had the simplicity to imagine that a mere declaration of neutrality would be an effectual safeguard to the established church. His attempt to make Cambridge an instance in his favour, as admitting Dissenters for purposes of instruction, was equally unfortunate. In the first place, persons *in statu pupillari* of whatever belief they might be, had no power in the body; it was that power which they now wanted. Next, the broad distinction was forgotten that a Dissenter was not admitted as a Dissenter, but as a member of the University, willing to conform to its regulations. A Dissenter was not even known to the University as such, till the period arrived for his taking a degree. Till that period he followed the rules prescribed by the University; — he attended chapel and lectures. But if he were brought to college openly as a Dissenter, either he was absolved from the restraints of religious discipline altogether, or he was forced to proclaim his own hypocrisy. In short, under the bill every class of Dissenters, Jew, Turk, Infidel, Socinian, any denomination whatsoever, any one who did not admit the principles of the church of England, would be admissible to degrees. It *ipso facto* repealed all the statutes which regulated the internal government of colleges, and did away with all the religious attendance which had been justly lauded. Now religious instruction never should be disjoined from general education. There had been a time in our

history when opposite sentiments would have drawn down universal reprobation. Other Universities showed the consequences of severing religion from education, and having no religious tests. In the universities of Germany no tests existed; the progress in knowledge, literary and scientific, was very great; but what was the religious condition of their seats of learning? If they looked to the works of their professors, men, undoubtedly, of great learning, of vast acquirements, they would see that the aim was to establish a system styled rationalism, which was a direct denial of revelation. In these volumes all the statements in the Old Testament were treated as fables—all the miracles recorded in the New Testament it was attempted to account for by natural causes. Again, look to the state of education in the universities of America, where, also, there was no religious test demanded. The general result of the education in these places was to turn out the young men upon the world as Unitarians. The great majority of the young men educated at the American Cambridge left it with a strong feeling of prejudice against the great mysteries of Christianity. The effect of the system of education pursued in America had been to lead to and to foster infidelity. So that the various bodies of Dissenters in that country had not united to support that very liberal establishment, but they had each established seminaries for Christians of their own peculiar denomination, and made it compulsory upon individuals destined for the ministry to receive their education there, and not at the liberal uni-

versity, which was found to send forth a great number of sceptics and of infidels, but very few Christians. Observing all these things, and being, as he was, deeply attached to the doctrines of the church of England, could he do otherwise than implore the house to abstain from depriving the Christian religion in general of the advantages which it derived from the discipline and constitution of the Universities—from dis-severing religion from learning? They were called upon to make this change upon the specious argument of advocating liberty of conscience. If it were applicable to the case of the Dissenters, it was equally so to the members of the church of England. When the Dissenters complained of their consciences being injured, they should recollect that the members of the church of England, a body not inferior to them in numbers or in weight (he would say no more), had a right to be quite as chary of their consciences. It might be a matter of as strong feeling with members of the church to have its liturgy repeated daily in the Universities, as with Dissenters not to have its rites performed. But were the consciences of the parents and of the young men the only consciences which were to be taken into consideration? Those who had the instruction of the youths at the Universities must of necessity be clergymen. Lay fellowships offered no inducements or emoluments which would lead a man to reside; the lay fellow would naturally go abroad, and endeavour to push his fortunes in the world. The clergyman, on the contrary, would remain within the walls, and on

him would devolve the instruction of the students. See, then, the condition in which he would be placed as the lecturer to a class partly composed of members of the church of England, partly of Dissenters of the various denominations, and partly of downright infidels. It was perfectly clear he must either offend the tender consciences of these Dissenters, or else, because of his oath and obligation as a member of the church of England, he must offend his own.

Mr. Stanley, who had now quitted the ministry, said, that, when the Cambridge petition was presented, he had been disposed to concur in its prayer, so far as might be consistent with the safety of the established church; but he would not conceal his feeling that, since the presentation of that petition, the tone assumed, and the principles asserted by the Dissenters, had tended to change his opinion in some respect, and rendered it necessary to look to the whole of their claims with more of jealousy than heretofore. Still, however, he would vote for the principle of the present bill, but not as voting for a change in the system of education in our Universities; for, if it proposed to do that, he would oppose it as cordially as he now supported it. It was only in Oxford that the subscription of the thirty-nine articles was required at entering the University. Though a member of Oxford, he would wish to see the system altered in this respect; for he could not bring himself to believe that gloss which had been put upon it,—namely, that the subscription to the thirty-nine articles was a mere matter of

form, and that no real adhesion to those articles was implied, until the party was instructed in their meaning. He could not consent to put education on such a footing, or on the footing of mere religious observance. If these tests meant anything, they were too solemn to be applied to such purposes; and if they meant nothing, the sooner they were got rid of the better. He would contend that it was not necessary to put such a bar to the education of the mass of the community, nor would he require such a qualification for a degree. If they could so arrange it as to prevail on the Dissenters to send their sons to the Universities, they would be conferring a benefit on both parties; for they would give them an opportunity of forming those ties of acquaintance and friendship, which would not be broken in upon by the circumstances of after life. But in giving his assent to the principle of the bill, he was not to be understood as going the whole way with its enactments. There was a clause in it which he considered objectionable, and which he understood would be abandoned in the committee. If the bill interfered in any way with the government of the Universities, he would not support it. It must be remembered, too, that when they admitted Dissenters to be educated in the Universities, it did not follow that they should hereafter be allowed to teach there. While he could go the length of giving education in the Universities to Dissenters, and of rendering them eligible to degrees, he would refuse to them any power, which might be considered consequent on those degrees, — any share in the government of the

Universities. Even to the granting the degree of master of arts there was one objection which must be attended to. That degree gave the right of teaching in schools. The enactment, therefore, must be so guarded as not to interfere with the provisions of the founders of institutions for the instruction of youth, or entitle Dissenters, in virtue of a degree, to become teachers in such schools. He would, therefore, go into committee in the hope that the bill would receive such emendations and changes as would save him from the necessity of opposing it in its subsequent stages.

Sir R. Peel declared that no possible modification of the bill could induce him to vote in favour of its principle; and he could have wished that its author had distinctly explained, amid the many doubts as to the intention of the bill, what was the construction which he himself put upon it. It contained an enactment, giving to every Dissenter, Jew, Infidel, and Atheist, — to the man who professed some religion, and to the man who professed none, — a statutable right to demand admission to either University, unless immorality or ignorance should be alleged against him. To complete that statutable right there was this clause — “that no statute law, ordinance, decree, or grace, made or passed by any authority whatsoever in any of the said Universities, or in any of the colleges or halls within the same, shall in any manner obstruct, limit, or qualify the plain intent and obvious meaning of the foregoing enactments; but such statute, law, ordinance, decree, or

shall be to all intents and purposes void and of no effect." the obvious meaning of that was,—that, whereas it was desirable that Dissenters should be permitted to enter into the University; yet, if any college or hall should determine to adhere to ancient statutes, or shall pass new statutes, compelling its members to attend at stated times upon divine worship, such statutes shall be void and of no effect. (Mr. Wood here said, "I have no such intentions.") "I have read," continued sir Robert Peel, "the clause itself to the effect; and here is a gentleman, who undertakes to deprive the Universities of the control over attendance which they have now enjoyed for the last 200 years, by striking every privilege which they have long possessed, and putting himself up to rule the Universities, yet unable to carry up his own bill in such a manner as to make it comprehensible to a man of common sense. What! after recognizing in the preamble the advantage of secular education, and the necessity which all classes of his Majesty's subjects have to partake of—and having enforced it by statutory enactment, did he venture to say that if statutes be passed by any college or hall requiring religious discipline, the University was to be deprived by such statutes of the advantages conferred upon him by the first clause of this bill? Was there a right in every college or hall to enjoin attendance on divine worship? The colleges and halls are bound to obey the statutes under which they were founded; they were not makers of the law,

they were only its expounders; and yet the mover of this bill would leave them not only the power of enforcing existing statutes, but of making future statutes for the due observation of religious discipline? He therefore allowed them to contradict the preamble of his own bill, if the construction of the third clause was really that which he had stated." But, whatever meaning it might please the mover finally to put on this clause, the express words of which he had now so peremptorily contradicted, nothing could be more surprising to the Cambridge petitioners than the answer given by this bill to their petition. They had called for the restoration of the ancient laws, and laudable customs of their University; but he did not think the right of a Jew to be admitted at Christ-church, or of an Unitarian to be admitted at Trinity, was one of those ancient laws and laudable customs. When he read the last part of their petition, which was couched in the following terms:—"Your petitioners disclaim all intention of hereby interfering, directly or indirectly, with the private statutes and regulations of individual colleges, founded as those colleges are on specific benefactions, and governed by peculiar laws, of which the respective heads and fellows are the legal and natural guardians;" and when he contrasted it with the third clause of the bill, which declared that the statutes of the University were not to limit this act, he thought that the first feeling of those gentlemen who believed that the heads and fellows of a college were its legal and natural guardians, would be a

feeling of regret that they had not postponed their petition for future consideration. What was the distinguishing mark between the Universities of England and those of every other country? Religion. It was in vain to deny that position. It had been said, however, that the Universities of England were not theological seminaries, and that they did not limit their instruction to theological subjects. But if they supplied instruction to the ministers of the church of England—if forty-nine fiftieths of its pastors received their education within their walls—if there was a wish on the part of the authorities to exclude from the church all persons save those who had been educated at the Universities, it was in vain to deny that the Universities were schools of theological learning; and if religious instruction was in future to be no part of their system, then he could tell them what would be the consequence. The Dissenters would not have the benefit from their admission into the Universities which was now anticipated. Those institutions would by their admission, be robbed of the principle which was the charm and essence of their existence; for if religious instruction was discountenanced within them, could they long continue to be the nursing places for a body of pious and well educated clergymen? It had been urged in the house, that Dissenters had been already admitted into the Universities, and the question had been asked, “what harm had been done by their admission?” To that question he would reply by another—“In what numbers have the Dissenters been ad-

mitted? Are there now twenty Dissenters in both the Universities?” If there were twenty Dissenters in the Universities, he believed that it would turn out that they were not known there as Dissenters. How were they known to be Dissenters? They might be the sons of Dissenters, but you could not call upon them for a declaration of faith, until the time came for their taking their degrees. They conformed to all the discipline of the colleges, and that led him to ask the framer of this bill whether he intended to insist upon Dissenters attending upon divine service according to the discipline of their respective colleges? (Mr. Wood occasioned great merriment in the house by answering “yes—no.”) Then he would not offer to the Universities such a mockery. He would not say to the Dissenter, “I will remove from you all distinctions arising out of difference of religion,” and then turn round upon him when he had got him to the University, and say, “Now I have got you, I will compel you to attend night and morning at the chapel. I will compel you to attend to the theological lectures which even call in question the religion which you profess.”

After adverting to the subscription of the thirty-nine articles required at Oxford, of which he was not prepared to say that it was material whether, as regarded a belief in those articles, it were given before or after admission—and to the attendance in chapel, to which, or to any other inconvenience of the same kind, the University might apply a remedy, by changing the hours or the circumstances of attendance,

Sir Robert said, that at last the question must resolve itself into this,—should it, or should it not, be a necessary condition of a University education, that religious attendance should be rendered by the students, and religious instruction by the professors of Oxford and Cambridge? All the other points touched on in the course of the discussion, were mere matters of detail, and wholly apart from the great principle now at issue, namely—the continuance of the Universities upon that footing on which they had rested ever since the Reformation. Some, who were not disposed to take the bill as it stood, were nevertheless inclined to admit Dissenters to degrees, and to all the civil advantages which degrees could confer, but to no power or office in the University. Now suppose that step to be gained, would not the claims of Dissenters to such further advantages connected with the University as they demanded, be quite as good after that concession as before? Might they not then insist on the very same grounds, and with as much show of reason as now, on being admitted to all immunities not necessarily connected with ecclesiastical offices or preferments? The degree, which did not bring these advantages with it, would be one of inferior value, probably unacceptable, and certainly unsatisfactory. It would not be a deprivation of mere ecclesiastical privileges; it would be the formation of the Dissenters at the Universities into a separate class, who never would remain contented with the empty degree of master of arts, but would ever continue to strive after, nay, peremptorily to demand a perfect

equality in all things not necessarily connected with ecclesiastical affairs. At this, and at more than this, they already pointed; for it was impossible not to entertain suspicions of their ultimate designs after the declarations just put forth by their delegates, in which they proclaimed, that, although they did not seek any participation in the estates of the established church for the sake of pecuniary emolument, still they claimed as a right, the severance of the church and state, and the appropriation of all the property of the church to secular purposes.

In conclusion, Sir Robert said that this was an occasion on which the house ought to take an extended view of the question which they had to decide. But a short time since they had removed all the civil disabilities under which the Dissenters laboured, by the repeal of the test and corporation acts; they had given to the Roman Catholics a complete measure of relief; they had effected a vast change in the constitution of parliament; and was at last the question was, were they or were they not to maintain within the united kingdom an established religion? In all the various discussions which had taken place, as well upon the measure of Roman Catholic relief as upon the repeal of the acts affecting Dissenters, the whole of the questions in each instance were confined to civil and political privileges. There never was the slightest intimation that the removal of those disabilities would lead to further demands, and lay a ground for ulterior claims. Their warmest advocates, Mr. Fox and Mr. Grattan, never held the opinion, that when the dis-

abilities of the Roman Catholics were removed, and the grievances of the Dissenters redressed, the state should in consequence thereof, be precluded from maintaining an established religion. To concede to the demands now made, would not be for the advantage of the Dissenters themselves. On the contrary, it would be eminently for their benefit, and for the benefit of all Christians, that the inestimable advantage of an established church should be preserved to the community at large, —to protect them as well from superstition on the one hand, as from fanaticism on the other, and to secure to them and to their posterity the decent observance of divine worship, and the substantial benefits of toleration, which could be secured only by the inviolability of the established church. What constituted the union between church and state? Wherein consisted the essence of an established church? Was it in the value of the living which the minister held? It rather lay in the legislative recognition on the part of the state; and parliament was entitled to say to the Dissenters, “with that legislative recognition, you shall not interfere.”

Sir R. H. Inglis and Lord Sandon, likewise opposed the bill.* Lord Althorp spoke in favour of it, saying he would strenuously contend that in sup-

porting it he would be guilty of no act of hostility against the established church, for he could not bring himself to agree with those who seemed to argue as if the adoption of the measure must have the immediate effect of putting an end to all religious instruction. He denied that the effect of it would be to deprive members of the established church of the benefits of religious instruction, and of public education in the doctrines of that church; any attempt to interfere with these of the Dissenters, he should regard as an act of intolerance not to be submitted to for a single moment; but he professed himself utterly unable to comprehend how the bill before them could be understood as having such a tendency. It obviously did not interfere with any such rights; neither would it interfere with the rights or regulations of private foundations. Certain classes of Dissenters might attend chapel, but he believed it was not required at Cambridge. At all events, he would maintain that an interference with divine worship was not a necessary consequence of the bill then under consideration; neither would it interfere in any degree with the education of members of the church of England, which would proceed precisely as heretofore, and which, after all, he did not really believe to include much of theological knowledge. It was

* As illustrative of the impossibility of establishing any system of religious education in institutions into which persons professing different religious opinions are admitted, Sir R. Inglis mentioned “He recollected that, at the time the London University was founded, on the principle of admitting all persons, whatever their religious opinions might

be, the late Mr. Wilberforce suggested the propriety of making the students read *Paley's Evidences of Christianity*. The reply he received was “You do not consider our Jews.” Mr. Wilberforce then proposed *Paley's Natural Theology*, and the answer was “You do not consider our infidel.”

understood that the only effect of the bill would be this,—that, after it had passed into a law, Dissenters would be entitled to take degrees without subscribing any articles of religion, or making any declaration of faith; but that it would not invest them with the power of holding fellowships or instructing youth. For that principle he was prepared to vote, but that principle did not pledge him to go any further. In committee all changes might be effected which should be necessary for limiting the principle of the measure to the extent he had stated; and if they were not made, he should be perfectly ready to assist in opposing the measure on its third reading. The house then divided, when the second reading

was carried by a majority of 321 against 174.

In the committee the Speaker gave his decided opposition to the principle of the bill, and some amendments were made *pro forma*. On the 28th of July, it was read a third time, and passed by a majority of 164 to 75, after a short discussion which produced no new argument except a notable one in favour of the bill from Mr. Baines, one of the members for Leeds, who maintained that the very etymology of the word “university,” from *universitas*, justified the bill, because the word meant an institution where not only every thing was to be taught, but to be taught to all persons who wished it, without distinction.*

* Important as was the principle involved in this measure, deeply as it affected long-standing religious institutions of the country, and likely as it was to place the one house of parliament in opposition to the other, the bill was passed amid a scene of clamour and disorder which almost overcame the well-tried equanimity of the Speaker, and in which the legislators who enacted it, would not have been permitted to indulge even in the bear garden where they seemed to have received their education. It was thus portrayed in the journals, not merely of the opposition, but of the ministry.

“An amendment having been made that the bill be read a third time this day twelvemonth, Mr. Goulburn rose to support the amendment. He said “This (the bill) appeared to him a most monstrous and uncalled-for innovation”—(*question, divide*), four lines more (*uproar and great laughter*), five lines more (*question*), seven lines, (*the right hon. gentleman made some further observations which were completely drowned in the noise and confusion which prevailed*).

Lord Palmerston rose—(*amidst most discordant sounds*), ten lines, (*coughing, scraping of feet, and expectoration*), a line

and half, (*uproar*), seven lines, (*coughing, and vehement cries of bah! divide, divide*), seven lines, (*great uproar and yelling*), eight lines, (*question, question*).

Sir Robert Inglis (*for many seconds his words were completely drowned in the noise, we can characterise the scene by no other epithets than those applied to humbler assemblages when equally unruly, a “regular row.”* Six lines (*cheers and confusion.*) Mr. G. Wood rose to reply—(*the laughing jeering, shouting and coughing were such as we never before witnessed.*) The hon. gentleman said it had been declared that the bill in its present stage was essentially different from what it was when he had the honour to introduce it to the house. (At this moment, two honourable members “o’er all the ills of life victorious,” suddenly entered from the smoking-room into the gallery, and stretching themselves at full length on the seats, secure from the observation of the Speaker, commenced a row of the most discreditable character.) This he denied—(“*I say can’t you crow?*” *laughter and uproar.*) The provisions had not been altered (“*hear him how he reads*”—Mr. Wood occasionally glanced at a memorandum in his hand)—the enactments were in every respect un-

In the house of Lords, the earl of Radnor took charge of the bill, of which he moved the second reading on the 1st of August. He insisted principally on the discrepancy between the practice of Cambridge and Oxford, as proving that the whole system of exclusion was unnecessary, and on the absurdity of exacting declarations which those who made them did not, and could not, understand, which he insisted was the case with the subscription of the thirty nine articles at Oxford. At Cambridge a young man might partake of all the benefits of education without making any declaration, or signing any test, until he arrived at the point at which degrees were to be conferred, when he was stopped, unless he belonged to the church of England. This could not be justified by any thing implied in the conferring of a degree. Degrees were conferred to show, first, that the persons receiving them, had conducted themselves correctly whilst they were at the University; and next, that they had qualified themselves, by proficiency in their studies, to claim that distinction. Now, he could not understand why the University of Cambridge, which allowed unrestricted matriculation,

altered. (*Loud cheering, followed by bursts of laughter.*) The question was—("read it, read it," and great uproar)—the question ("just so, read it,") the question was (*great cheering and laughter*) whether ("that's the question") whether the Universities should be open to all, or be for ever under the control of mere monopolists ("where's the man that crows?" *laughter and loud cries of "order" from the Speaker.*) Public opinion—"Oh dear," and great uproar, during which the Speaker, evidently excited, was loudly calling for order, and turning his glass in every direction to

should stop short there, and not apply the same principle to the candidates for degrees. As to Oxford, there undoubtedly a young man of a certain age could not be matriculated, unless he subscribed the thirty-nine articles. But if the practice with respect to the University of Cambridge was that which he had stated, and if no inconvenience arose from it, surely it was very natural to suppose, that no inconvenience would be experienced, if the same course were adopted by Oxford. At all events, the latter University, with such an example before it, might adopt a practice that would enable individuals to obtain certain University honours, if they did not choose to go beyond that point. The Dissenters, not less than the members of the church of England, were anxious to arrive at eminence in the learned professions, and it seemed to him to be most unjust to interpose any bar that was calculated to prevent them from forming those manners and habits which were necessary to aid them in arriving at that eminence. In the liberal professions the degree was a matter of real and substantial importance. The want of it excluded a man from certain grades in the

note the delinquent members)—public opinion was decidedly in favour of this bill. (*The scene here was indescribable.*)

The Speaker suggested that perhaps some one of the hon. members, who were so much opposed to the debate going on, would, on reconsideration, move its adjournment to some future day. (*Hear, hear, and a laugh.*)

Mr. G. Wood resumed, but the noises were soon again renewed, and he was but little heard; and, responding to cries of "Question—divide, bah! bah!" the house divided.

college of Physicians, and doomed him to two years' additional study, if he intended to try his fortune at the bar—and all this merely because he was not a member of the church of England, although his acquirements might be such as would reflect honour on any University in which he might graduate?

With respect to the Thirty-nine Articles, he maintained that it was improper to exact a subscription of them from young men; for they contained many things of which the subscribers could understand nothing. The statutes of Oxford required that persons above the age of sixteen should subscribe the thirty-nine articles, and take the oaths of supremacy and allegiance; that those under the age of sixteen, and above twelve, should be matriculated on subscribing the articles, without taking the oaths; and that those under twelve might be matriculated without subscribing at all. This regulation, he argued, furnished a conclusive answer to the argument, or rather explanation, that nothing more was meant at the time of subscription than a general declaration that the subscriber was a member of the established church. The statutes expressly said, that, under the age of twelve, individuals should be admitted without signing the thirty-nine articles; but that when they had reached a certain age, they were bound to do so, and to make the required declaration, or else to undergo the penalty in that case provided. Therefore, he argued that the University expected some knowledge of those articles on the part of those who signed them. If it

VOL. LXXVI.

were otherwise, why fix on the age of twelve? The articles clearly pledged those who subscribed them to many points; and he would ask whether it was fair and just that lads of sixteen or seventeen should be called upon to pledge themselves to the thirty-nine articles? There was no young man of that age who could understand the articles; yet all were required to put their names to them; and, as he thought, they were considered by the statutes as understanding them, though the thing was next to impossible. It had, however, been repeatedly said, that the articles were afterwards explained to them. This really meant nothing; for whether they ultimately approved of them or not, they had in the first instance assented to them, and it was almost impossible for them to recede. Nothing could be more disgraceful to the University itself, or to those who gave this tardy explanation, than to call first for a subscription to the thirty-nine articles, and afterwards, when that point was achieved, to explain those articles. He could not say, which was the greater hardship to the individual or the more disgraceful proceeding on the part of the University—the calling on a young man to subscribe his name to the thirty-nine articles, under the impression that it did not signify what the form meant—or the explaining, at a future time, those articles, to which, whatever he might think of them, his interest rendered it necessary that he should adhere. And, after all, what was gained? Under this bill, forsooth, atheists might become students and obtain de-

[O]

grees. And would the subscription of the thirty-nine articles keep them out? An atheist would say, "I care nothing about the thirty-nine articles. I don't believe in a God. I don't believe in a future state. I wish to uproot the sentiments of these young men, and to convert them to my own, and I will not be deterred by any forms." Certainly such a man would not; but the honest, the sincere man, no matter what was his Christian belief, would be deterred by them. He knew, moreover, that the danger, which it was said was likely to arise by passing this bill, was actually incurred at Oxford, and in the most unpleasant manner. The children of Dissenters were admitted there at present. They came in as conformists and not as Dissenters. They acted on a principle of insincerity; and surely that was more to be deprecated than the admission of young men of dissenting communions who fairly came forward and stated what they were, without deceit or reservation. The subscription of the thirty-nine articles was a lie, a positive lie; and although 1700 or 1800 members of Oxford had lately put forth a declaration in favour of that subscription, how could he know that these gentlemen themselves believed in them, since they forced young men to sign what they knew they could not understand?

The duke of Gloucester, chancellor of the University of Cambridge, denounced the bill as being not only uncalled-for, but most unjust and mischievous. No complaint had been made to the legislature, to justify its

interference, against the manner in which the Universities were regulated and governed. On the contrary, the table of the house groaned under the weight of the petitions that had been presented, calling upon their lordships to support the present system of education in the Universities, entreating them not to make alterations, and praying them not to grant to Dissenters the privilege of taking degrees in the Universities. The great bulk of the nation were members of the church of England. He himself had presented upwards of 100 petitions to that house, and more than sixty addresses to the sovereign, praying for protection to the church as by law established, and against such concessions to the Dissenters as this bill intended to grant; and in a matter like this, was the legislature to pay no regard to the entreaties and wishes of the great majority of the nation?

The propounders of this measure, his royal highness contended, mistook the real nature of the foundation of the Universities. They had been founded by pious persons for the education of members of the established church, and, above all, for the education of those who were to be ministers of that church. Henry VI. and other kings had founded colleges in Cambridge expressly with this object, but parliament had never founded a college. When this country renounced the errors of Popery, and when the present church became the established church of these realms, the colleges became the cradles for the education of ministers of the church of England; the Protestant religion was adopted as

the established religion, by the colleges and Universities, which then became part and parcel of the establishment. The representation that a degree was merely a certificate of good behaviour and literary acquirement, was another great mistake; because the degree of master of arts gave to its possessor power and authority in the discipline of the University, and more than this, the disposal of much church patronage. It was equally a mistake to say, that at Cambridge Dissenters were already admitted, or that any arrangement had been made to admit them to the privileges and benefits of the University. Nothing was required at matriculation except the oath of supremacy, and a declaration of obedience to the laws and regulations of the University. Hence it was, that a few Dissenters had crept in, whom, however, the University did not know or recognize as such, and whom, so long as they conformed to the prescribed course of education and discipline, the heads of that body had no reason to believe to be other than members of the established church. But when power and authority were to be placed in the hands of students, by conferring on them degrees, then the University insisted upon knowing whether they were members of the church of England, because it was only to members of that church that such power and authority could safely be intrusted. From the moment this regulation should be relaxed, might be dated the separation of church and state, and the overthrow of the church and constitution.

In regard to the injuries said to be inflicted, by the want of de-

grees, on Dissenters wishing to practise medicine, or come to the bar, these were the result of regulations established by medical and legal bodies, touching what they considered a sufficient test of qualification in their own members. From these bodies, the remedy ought to come, if any was required. He had consulted, on the subject of the law, the lord chancellor and lord chief baron. The result of his inquiries was, that he believed that there would be no objection to admit to the bar persons who had not taken a degree, in the same manner as if they had done so, provided, on examination, they were found properly qualified. He hoped, and indeed he believed, that something might and would shortly be done on this subject. Again, about twelve months ago, when a proposition was made to allow the college of physicians the power of granting the degree of doctor of medicine, he had given his assent to it in the name of the University of Cambridge. The only practical grievance, therefore, of which even Dissenters complained, in relation to degrees, could thus be got rid of without the present bill, which, he moved, should be read a second time that day six months.

His royal highness was followed by the duke of Wellington, chancellor of the University of Oxford. He begged the house to bear in mind that the two institutions which it was the object of the bill to regulate were chartered corporations—chartered not only by prescription, but by gift of kings of England, and acts of parliament. Not only were the Universities themselves incorpo-

rated, but several of the colleges were equally so. Under these charters, not only the University as a body, but the several colleges, had a right to regulate their own affairs; there was no complaint of their conduct in the exercise of that right; yet here was a bill invading all these charters, and making the broadest attack that ever had been made on the established institutions of the country.

The friends of the bill had insisted much on a supposed discrepancy of practice between Oxford and Cambridge, and had asked, why not place Oxford on the same footing with the other University? But, in the first place, both of these bodies stood in the same position in relation to the present question which regarded, not instruction, but power and authority. Next, to place the regulations of Oxford on the same footing with those of Cambridge, was not the meaning or object of the measure now under consideration. The meaning of this bill was, that persons should hereafter be privileged to enter and take their degrees without being called upon to subscribe any article as a test, or taking any oath on matriculation, and moreover that they should take their degree without any such oath. When a person took his degree, he became one of the Senate, and, consequently, one of the governors of the University. Thus persons who refused to sign either the articles or to take the oaths, would become, in time, the governors of the corporation; and it was to guard against the possibility of this evil, that the regulation at Cambridge had determined

that no person should take a degree without being a member of the established church. Besides, there was a great difference between admission as a matter of right, which would be the case under the bill, and admission by sufferance, — between admitting Dissenters by command of parliament, and admitting them not knowing them to be Dissenters. On this occasion, therefore, the Universities stood on the same ground in opposing the bill which would destroy, no less in Cambridge than in Oxford, all rules and regulations, in respect of discipline, and more particularly as regarded instruction in the doctrines, and regular attendance on the worship, of the established church. The only difference in the course followed by the two Universities was, that Oxford required at matriculation the subscription of the thirty-nine articles. This was done under a statute 300 years old, which had never been complained of. The subscription itself was a mere matter of evidence, that the person, conforming to the practice, belonged to the church of England, and not that he understood and believed everything contained in the thirty-nine articles. It was true that schismatics, atheists, and other individuals of that description could not be prevented by this, or by any other regulation from obtaining admission to the Universities; but he contended, that this regulation would prevent the admission of persons into the Universities whose object would be to introduce their schisms and divisions. On this ground it was, that the University of Oxford stood on the same foundation as

the University of Cambridge. The object of both was, not to prevent this or that individual Dissenter from entering—it was not in their power to do so—but to prevent large numbers of such persons from coming in, who, if they entered by right, would object to allow the studies of the Universities to be continued—who would endeavour to establish their schisms and dissent—who would make efforts to effect that separation which it was the duty of the University to prevent. The system of education at Oxford and Cambridge rested exclusively on the religion of the church of England, provided for by a system of collegiate discipline erected on the donations, charters, and foundations of the colleges. The system could no longer be enforced, if Dissenters were once admitted. If a number of Dissenters were admitted, having a right, under this act of parliament, to repudiate and neglect these collegiate rules and regulations, how would it be possible to enforce their observance on members of the church of England who might happen to be in the same colleges at the same time? Those who were best able to form a judgment on the subject, held the opinion that the consequence would be to produce schism and dissent throughout the Universities, and to perpetuate differences, distinctions, and disunion.

His grace farther argued, that the bill would inflict a mortal wound on the union between church and state; and although ministers had declared their resolution to maintain that union unimpaired, he was afraid they did not form very clear ideas in what

it consisted, or look very nicely at the meaning of words. They seemed to regard the union of church and state as a political connection: they looked chiefly at the power which the crown enjoyed of presenting to benefices, or promoting to dignities and preferments. But he considered that there was a spiritual union between the sovereign and the church. By the same act of parliament which declared his majesty to be the supreme head of the church upon earth, he was authorized to visit these colleges, and other schools or similar institutions of royal foundation; and he was required to prevent in them those schisms, dissensions, and disorders, which were likely to occur if this bill were passed. The king, therefore, was bound to see that, in these institutions, the true doctrines of the gospel, the doctrines of the Church of England, were maintained and taught, and nothing else. This, and not church patronage, or any thing else which might be connected with the royal authority, was the real union of church and state. He knew that a convenient doctrine had been held regarding the coronation oath; that the king could free himself from it by assenting to an act of parliament. But that oath contained the explicit declaration of the principle, that the king of this country should maintain the laws of God, and the true profession of the Gospel. To that principle we had sworn two different monarchs within the last few years; and such being the case, it was impossible for the house to present this bill to their sovereign, knowing, as they did, that it went

to overturn every principle contained in his oath.

The earl of Carnarvon likewise spoke against the bill, the main objection to which consisted in the difficulty of conceding to the Dissenters what was asked, compatibly with the maintenance of the established church, and the mischief of putting an end to all religious instruction whatever, as a part of academical education; for no one had yet attempted to point out how religious instruction for scholars of all persuasions, which had been found impossible in the University of London, was to be made practicable at Cambridge or Oxford. Many grammar schools existed, the masters of which must be Masters of Arts, and their holding that degree was a security that they belonged to the church of England. Were the Dissenters to be intrusted with the education of youth in these seminaries, and allowed to commit a fraud on the public by means of this bill? Let them confer their own degrees. If their intentions were fair and honourable, why should they seek to assume the distinctive marks of a church, whose tenets they disliked, and the destruction of which was their constant endeavour? For the importance of religious instruction as an essential part of education, lord Carnarvon referred to the foreign universities, where no religious tests existed, and where gross infidelity or extravagant delusion was the result. The unhappy state of the German youth, their fury, their infidelity, their ill-regulated dispositions in matters religious and political, were to be ascribed to the absence of that

religious instruction, which exercised so salutary an influence in the English Universities. The same thing might be said of the youth of France, who had seized the first moment of political revolution to bear down every emblem of what they termed the Christian superstition. He trusted the House would not be deterred from doing its duty from any apprehension of a collision with the Commons. It was no longer a question between Lords and Commons, or between peers on different sides of the house; it had become a question between God and themselves, and every obligation, human and divine, called on them to refuse their concurrence in the bill.—The archbishop of Canterbury maintained, that although education at the Universities was not a theological education, in the exclusive and strict sense of the term, yet the object of the founders of our colleges was the encouragement of religion and learning on the basis of a sound religious education, at all times connected with the established church. The promotion of sound religious education, and of useful learning was the object and intention of every foundation. A chapel was built in every college for religious worship, according to the rites of the church of England, and the colleges were acknowledged by the state in the Act of Uniformity, which placed religious worship there on the same footing as in the established churches. The 16th canon required the colleges to observe the forms of divine worship in the same manner, as was customary in churches. The University had been connected with the church

at all times, both before and after the church of England had thrown off the yoke of the church of Rome, except during one short interval, which he needed not to name, and from which he trusted that no precedent would be drawn. For that reason the Dissenters had never wished to join the Universities, nor would they now wish to join them, if they had not some ulterior views to carry. They looked upon their admissibility to the University as the means of modifying the regulations which prevailed there to their own purposes. He argued that the bill left the Universities still at liberty to insist upon examining the students upon the thirty-nine articles of the church of England. Would the Dissenters submit to that? No, it was impossible that they should. Would they not complain of it, as a system of mockery and insult, when they were told, "Here you may take your degree, but you cannot take it unless you comply with these terms?"

Lord Melbourne admitted, that the subject was surrounded with difficulties; that he did not altogether approve of the bill, or think that it would effect, in the best manner, the purposes which it had in view; and that, in his opinion, it would be more desirable to attain that object by a mutual good understanding, and a sort of compromise between the parties, than by forcing it on the Universities by the violence of an Act of Parliament. The question, however, having been brought before the house, he would vote for the second reading of the bill, because he thought a question of such magnitude and

importance, was entitled to the fullest and most anxious consideration. He would at once declare his clear opinion, that it was impossible to maintain the religion of the country without maintaining it as the established religion, in connection with the state; and that it could not be upheld by leaving it to the voluntary support of its members. But dissent had been almost coeval with the church, was founded on matters of conscience, and had greatly extended. All attempts at a religious comprehension of the Dissenters, and they had been made by some of the greatest prelates that ever adorned the episcopal bench, had failed; but, at all events, the house might make a step towards the object by a general civil comprehension of the Dissenters, and by admitting them to the benefits to be derived from the public institutions of the country. He apprehended that the Universities were originally founded for the support of literature and science; but he agreed, that it was most desirable that church of England principles should prevail in their system of education, and he would reserve to them complete their right to teach the religion of the country. At the same time, however, though he would not rashly meddle with honest prejudices, and well-founded feelings, he would admit Dissenters for the sake of general peace and union; and in doing so, he would only be sanctioning that which the most distinguished members of these very institutions had declared might be safely effected. The church of England required no tests for her protection, and no tests could give protection to

any system. Almost every act of the life of a heathen was in itself a test. He could not sit down, he could not eat his meals, he could not retire to rest, he could scarcely go through the simplest duty; he could not be born, married, or buried, without an address to some pagan deity or another. These observances had been forced upon the Christians by the most cruel punishments; but they all failed to uphold paganism against the vital spirit and heaven-descended energy of Christianity. Many were the tests adopted by popery to put down the protestant religion in its infancy; but they had been found frail and fragile against the pure light and energy of the new faith; and that, too, in these very Universities. Before the Reformation, the Universities were the safe guards of the then established church; their tests were directed to the protection of the Catholic creed, in doctrine and church government. But how did they protect it? "Fourteen years after the foundation of King's College, Cambridge, a royal decree was sent down denouncing the opinions of Wicliffe, and condemning to expulsion, and the pains of perjury, all who should entertain them. Yet, in the course of two years, this very King's College became what was then called the most heretical, but what was now deemed the most Protestant college in Cambridge; and in sixty years more, its doctrines were established by law. It was not to tests, therefore, that the church of England had to look. She stood upon her intrinsic and native merits,—on the living vigour, the pure truth,

the scriptural consistency of her doctrines; and, above all, on her mild laws and tolerant character. With these bulwarks she had nothing to fear from any quarter. He could not think, recollecting as he did how students, belonging to the dissenting part of the community had entered the University of Cambridge under the more liberal system that prevailed there, that the number of Dissenters, who were likely to enter, if the Universities were thrown open, would be so great as to lead to the evils which the noble duke apprehended; and he deemed any evils which could by possibility result from the admission of Dissenters to the Universities to be nothing, when compared with the good that must necessarily arise from it.

The Lord Chancellor supported the bill, because it merely went to remove a practical grievance, without affecting, as he thought, either the discipline of the Universities, or the church. If it were attempted to admit Dissenters to fellowships and offices of emolument and trust within the University, this ground would be removed from under his feet, and he should be disposed to move, not only that this bill be read a second time this day six months, but even to put the previous question, which was the approved parliamentary mode of giving a negative to an unpalatable abstract question. But was it not a practical grievance that a man who conscientiously dissented from the doctrines of the established church, should, for that reason alone, be excluded from some of the most valuable rights which citizens could enjoy? Surely it was a great practical grievance,

that, instead of being admitted into one of the most illustrious, most ancient, and justly renowned seminaries of public learning, he should be forced to seek for education in another country, frequently at a great expense, thereby inflicting on himself a species of banishment, and that all the means of education which these seminaries afforded, for himself, if young—for his family, if adult, were to be shut against him. Was it nothing that as a professional man he should not be admitted to the degree of a doctor of medicine, because he was not a member of the church of England, and that, to practise the faculty of medicine, he must go to Berlin, or Paris, or Edinburgh, or Glasgow? This was a law which savoured of oppression, and was a practical grievance of great weight. All that this bill asked was, to allow the Dissenter to matriculate at one of the Universities, and to graduate at both, if he was fit for a degree. It was to be regretted that the Universities had not had the opportunity, or if they had the opportunity, that they had not used it, of making some mutual arrangement on the subject of admitting Dissenters to degrees; but if Oxford would put herself on the same footing as Cambridge, in respect of matriculation, and if degrees were granted at both Universities to medical men, without requiring the condition of subscription to the thirty-nine articles, he thought that the great bulk of the grievance would be effectually and practically removed. He made a distinction between the case of medical men and lawyers, because, although he must not forget that a lawyer with the degree

of master of arts might be called to the bar within three years after his admission to one of the inns of court, instead of five years, yet that was a mere private regulation of the inns of court, which they might alter to-morrow; and it might be provided that a residence of seven years at the University, the period required to elapse before admission to a master's degree, should entitle a man without a degree to the same privileges which the master of arts enjoyed.

On the question whether persons not members of the church of England, should be admitted to other privileges besides being made capable of taking degrees, whether, in fact, they should be eligible to fellowships, the lord chancellor thought that the Dissenters had no case. In putting forward such claims, they had not maturely weighed the reasons for which fellowships were endowed. These were founded for members of the established church, and those who were not members of the established church had no more right to claim a participation in the pecuniary advantages which belonged to that church, than a member of that church had to share in the endowments founded at Highbury or any other dissenting college. The individuals, who bestowed the funds from which fellowships were kept up, had a right to prescribe any restriction they chose upon the disposal of them, and the Dissenters had no more ground to complain of their exclusion from these emoluments, than they had to admission into any private charity.

His lordship proceeded to enforce the arguments that the tests such as they were, hampered only

the pious and conscientious man, but presented no obstacle to the infidel or sceptic—that the church instead of being exposed to danger by the removal of all worldly and secular disqualifications which now attached to those who differed from her doctrines, would thereby conciliate the feelings of the Dissenters who now formed a numerous, wealthy, and most respectable body. That the subscription of the thirty-nine articles was now stated to be a mere ceremony which, in truth, did not require either understanding or belief on the part of youth who performed in it. The noble duke, the chancellor of the university of Oxford, had said that the subscription of a boy between the ages of twelve and sixteen to the thirty-nine articles only implied that he belonged to a church of England family, and that he promised, when he arrived at mature age, to study the meaning of the articles which he subscribed. But surely it was not meant to be said, that it was of any consequence to the University whether a person belonged to a church of England family, or to a dissenting family, provided he subscribed the thirty-nine articles; and if this was the ground on which the argument rested, would it not be better to make him subscribe to a paper of three lines, which both he and every one else could understand, declaring that he would, as soon as he was of mature age, read the thirty-nine articles, and if he was able to believe in them conscientiously, that he would belong to the church of England? He could not understand, he said, the consistency of those who gave the Dissenter admission to both branches of

the legislature, which must control the Universities and yet refused him admission to those very Universities. All offices were open to the Dissenters—the great seal itself was open to them, and a noble and learned lord who was a predecessor of his was actually a presbyterian. He should be much better pleased, if, by a mutual understanding between the Universities and the Dissenters, the grievance of which the latter complained might be removed; and if the bill should be thrown out,—for he would not say he had any expectation of its being carried—he made it his most earnest request to the heads of houses in both Universities, that, between this and the next session of parliament, some better, because more efficacious method might be devised to remedy the evils complained of. It had been said let the Dissenters go to their own institutions; let them have an University of their own, and not interfere with the Universities of the church of England. That was a fair proposition; but when the Dissenters did attempt to get a charter for an University of their own, the same learned bodies were found to object to their obtaining any degree, either in Oxford or Cambridge, or elsewhere in England. He would do those Universities the justice to say, that he thought they would soon see that one of the positions they had taken up was altogether untenable, and he hoped he should soon see some equitable adjustment between them and the Dissenters, or the withdrawal of their opposition to granting them a charter for an university. He was quite sure that nothing but discussion was required to set the

merits of the case in a clear light, and that the cause of the Dissenters must ultimately triumph.

The discussion was closed by the bishop of Exeter, who, in reference to the alleged practical grievance, admitted that the expenses in the Universities of Oxford and Cambridge were great, and he should rejoice to see them much lessened for those who would avail themselves of the advantages of medical education there. But it was the constant practice that the Dissenters availed themselves of the diplomas, and became doctors of the Edinburgh and other universities, and this, too, in a shorter time, and at a less expense, than their object could be elsewhere accomplished. This, he conceived, did away with the alleged grievance in respect to medical degrees to the Dissenters. With respect to the profession of the law, that had been admitted to be a matter, not for the Universities, but for the benchers of the inns of court.

Setting this aside, then, what reason was there for interference? It had not been attempted to be denied that the Universities fully discharged the duties imposed upon them by their charters; and if they had not so failed, then parliament had no right to force upon them a different mode of education; for these corporations possessed a clear and distinct right to decide for themselves, in order to carry into effect the objects for which they were founded; and it could only be in the case of a departure from these duties and objects that interference could be justified. What was the grievance complained of? Why, that the Dissenters were not

admitted to the benefits of institutions, an interference with which could only be justified by its maladministration. That the Universities now discharged in the best manner, the important duties intrusted to them by charters was, forsooth, the reason why the legislature was called on to interfere.

Or was the right of interference to be maintained on the ground of the Universities being national institutions? No doubt they were so in a very high degree; they were the great seminaries for education in the national religion; they were national, inasmuch as they were the source of that high glory for which England was so much honoured in all foreign parts, as the possessor of two such institutions. In these respects the Universities were national institutions, but not so on the ground of being supported by the legislature; very far from it. Not long ago, the present secretary for the colonies had been called on, in his former capacity of secretary to the treasury, to defend elsewhere certain estimates containing payments of salary to the professors of the Universities. An objection had been taken to this branch of the estimates, and that gentleman, in answer to it, expressed a hope that the objection would not be persisted in, as it would take away the very strongest argument for enforcing the Universities' Admission Bill. He asked no further question when he heard of such an argument coming from such a man upon such a question. Was it endurable, that because this great country made some show of liberality towards two Universities to the paltry amount in question,

its legislature acquired a right to break in upon the constitution, and to violate the very principles upon which those Universities were founded? It would be little less than an act of dishonesty to withhold those payments; for how did the matter stand? Those payments did not originate with parliament, but with two of the sovereigns of this realm, George II. and George III., who, anxious to celebrate their respective reigns by the endowment of science in the two Universities, had devoted these sums out of the hereditary revenues of the crown; and when those revenues were applied to public uses, then it was, that parliament came in bound, in common justice, to fulfil the intentions of the sovereign. The Universities paid considerably more in taxes upon degrees and matriculations than the amount paid by the country to their professors. The government would receive the thanks of the Universities, if it would deny the salaries and remit the taxation, and enable the senate and governing bodies to dispose of the difference in the field of science. Neither was there any better foundation for the hopes held out, that the yielding of this demand would produce harmony and peace, much less that it would convert the Dissenters into willing defenders of the church, or, at least, deprive them of all desire to assail it. This was not the language, nor were these the anticipations of the Dissenters themselves. He had taken the trouble to make a selection from the petitions which had been presented from the dissenting portion of the community in reference to that subject. The Unitarians had com-

plained that they were refused admission into the Universities, and claimed an equal eligibility with the members of the established church to all offices of distinction and emolument in those Universities. This was the language of the Unitarians of Plymouth. They did not ask for this bill, for it was a mere mockery upon their demands, which went to the extent of claiming a participation in the government of the Universities both of Oxford and Cambridge. The Unitarians of Bradford and of Nottingham went the same length. The Dissenters of Hull, in a petition most numerous signed, stated, that to withhold from them civil rights and religious honours was an injury which no government, ruling over an enlightened people, could perpetuate, and they called upon the legislature immediately to remove the grievance, by granting them the abolition of the monopoly of university honours, and further to abolish the unscriptural union between church and state, having at the same time a due regard to the interests of all parties concerned. This petition, strong as it was, became a little more important from the occurrences which took place at the meeting by which it had been adopted. He alluded to the speech of a dissenting minister of high estimation, and one of the delegates to London on the subject of the claims of the body to which he belonged. That reverend gentleman, on the occasion in question, had said, that there were no less than twenty-two foundations in the colleges of the Universities at the time of the Reformation, and that, therefore, the Dissenters had as much right

to a participation in these benefits and emoluments as the churchmen. The reverend gentleman added, that there were those who had contented themselves with forwarding petitions only asking for a redress of grievances and a dissolution of the union between church and state. Such petitions were too weak, contended the reverend gentleman, who may be regarded as the spokesman of the party. There were others, continued he, who went rashly forward and demanded an immediate dissolution of that union. This was an extreme on the other side, and he should recommend the *juste milieu* between the two extremes. "Hence it was," said the speaker, "that our petition does not pray for immediate dissolution, but looks forward to the accomplishment of that great and glorious object." The Independents and Baptists of Leeds had addressed a memorial to his majesty's government, in which they stated, that they conceived the property and revenues of the Universities to have been transferred at the time of the Reformation, and that the benefits derivable therefrom should be equally accessible to all British youths; and they demanded, not merely admission into the Universities, but also a full participation in all their endowments. Such being the sentiments of Dissenters, this bill, so far from satisfying them, would, in their opinion, be only a perpetuation of oppression and injustice. Those pretensions were by no means new; there was a precedent for them only two centuries ago. In the year 1647 a parliament order, number seventy-four, was passed for the reforma-

tion of the University of Oxford, whereby it was directed, "that an examination should be had of all oaths required by the statutes of the said University to be taken, in order that such only might be required as might be agreeable to the intended reformation of the said University." This was what the Dissenters now sought. If the majority of the Dissenters of the present day thought their brethren too rash in their demands why did they not endeavour to check them? Would, then, their lordships become their dupes? He must frankly say, that their dupes they could not be, for the Dissenters had spoken out so plainly, that it was impossible for any man of common sense to be now deceived by them. Neither would their lordships become accomplices in perfecting their object; for accomplice implied some communion of interest, and an unity in the end and aim; but what could their lordships have in common with those individuals who sought to seize upon the Universities and to pull them down? What, then, remained? Would their lordships consent to be the instruments, the tools, the ministers to the sordid hatred which the Dissenters bore to these institutions? Would they betray to them these sanctuaries of British honour? Would they be the corrupters—the poisoners of these wells of religious knowledge and of virtue?

On the division, the amendment to reject the bill was carried by an overwhelming majority; 187 peers voting for it, and only 85 for the second reading.

Another grievance of which the Dissenters complained, and one which brought out still more plainly

the principle that lay at the foundation of all their demands was, that they were liable to church rates, that is, that they were taxed towards the expenses of the national religious establishment. From this impost they claimed to be relieved, on the broad principle that it was unreasonable and unjust to make them contribute towards the support of a religious system from which they altogether dissented. This is a principle which it is impossible to reconcile with the existence of a national church; for it is equally applicable to stipendiary clergymen paid by the state, or to any payment made by the state towards the expenses of public worship, as to tithe drawn by the clergyman in right of his benefice, or to rates levied directly and exclusively to meet the cost of divine service. It was a principle, however, with which ministers were under the necessity of not only dealing, but of dealing favourably; because it was one which they had sanctioned in their Irish Temporalities Bill of the preceding session. During the discussion of that measure, they had been warned, that ere long a similar demand would be made on the part of the English Dissenters, to whom they would have precluded themselves from giving a plausible answer. That demand was now made—made on the same ground, and supported by the same arguments, which had enabled the Catholics of Ireland successfully to insist that they should bear no part of the expense of the Protestant worship.

On the 18th of March, Mr. Divett moved a resolution, “that, in the opinion of this house, it is just and expedient that effectual

measures should be taken for the abolition of compulsory payments of church rates in England and Wales.” The mover stated, that by a return of the local taxation of the country for the year ending 27th of March, 1827, the church-rates appeared to amount to 564,000*l.*; thus forming a very important item in the general local taxation, which was somewhere about 9,489,000*l.* The repairs of the churches in one year had cost 248,000*l.*; the charges for organs and bells 41,000*l.*; for books and wine 46,000*l.*; for payments to clerks and sextons 126,000*l.*; and for other charges 184,000*l.* Some part of this, indeed, was not now enforced by law; but the rest was enforced, and proved most injurious to the established church by engendering in the Dissenters feelings, not merely of dissatisfaction, but of disgust. The Dissenters raised not less than a million a year for their own religious purposes, and surely the members of the established church might support their own religious edifices, without calling on the aid of those who disclaimed its tenets. The increase of dissenting meeting houses both in England and Wales had been immense. In two parishes in Monmouthshire, having a population of about 16,000, twenty-three places of dissenting worship had sprung up within a few years. This showed the infamous nature of the tax in question, and its tendency to injure the best interests of the established church; for in all of these parishes the most bitter hostility was entertained by the Dissenters towards the established church, and was mainly engendered by this

-impost. Abolish it, and a vast deal of that hostile feeling would vanish, for he knew of no subject which created more heartburnings than the compulsory assessment of church-rates. He utterly disclaimed any intention of interfering with tithes; for though he thought that men who dissented from a religion ought not to be compelled to pay towards its support, he was himself a churchman, and thought he was doing the church good service, by striving to remove what only created enemies against her.

Other members enforced the motion by similar statements. According to them, the Dissenters had become so formidable in numbers, that if arrangements which they disliked, because they enforced practical grievances, were not forthwith altered, the established church would be anything but secure. It was to the principle, and not to the amount of these payments, that they objected; and no measure, short of one which would relieve them from such payments in any shape, would satisfy them. They deserved this more especially at the hands of the present ministry, to whom no body of men in England had rendered more essential services.—Mr. O'Connell, a catholic legislating in matters touching the welfare and stability of a protestant church, laid it down as the plain principle of justice and common sense, which the house should establish, that no Christian ought to be compelled to pay towards the religious observances of a church from which he dissented; and he advised the Dissenters, if they wished to succeed, to show the ministers how much

government depended on them, and what it had to dread from their anger.—Lord Althorp stated, that as he himself had given notice of a motion on this subject, he would not at present enter into it any farther than to declare that the question of church-rates rested on very different foundations from the question of tithes. The measure, which he intended to introduce would be brought forward, not in the shape of a resolution but as, an effective and practical motion. Under these circumstances, he did not think the present a desirable occasion to adopt the principle contained in the resolution, and he should therefore move the previous question.—Mr. Divett, however, expressed himself willing to await the appearance of the government plan, and withdrew his motion.

On the 21st of April, lord Althorp brought forward his plan, but in the shape of a resolution, “that, after a fixed time, church-rates should cease and determine, and, in lieu thereof, a sum not exceeding 250,000*l.* should be granted from the land-tax to be applied to the expenses of the fabrics of churches and chapels in such manner as parliament should direct.” His intention, he said, was not merely to relieve Dissenters, but likewise to provide for the fabrics of the church. The Dissenters, indeed, said that it was not so much the amount of the rate that was objected to, as their being compelled to contribute towards the support of a church to which they did not belong. One way of relieving the Dissenters, no doubt, would be to leave the system of church-rates as it was, but to exempt the Dissenters fro

the payment of them. However satisfactory this might be to them, he feared that it would be found extremely detrimental to the interests of the established church, and that, if this plea for exemption were once allowed, the number of those who professed to be Dissenters would be very much increased. Another proposition had been made by the member for Exeter, which was, to do away with church-rates altogether, and substitute voluntary contributions for the support of the fabrics of the church. Now it might, or it might not, be, that voluntary contributions would be sufficient for that purpose; but while he called on the legislature not to impose an unjust tax on the Dissenters, he at the same time felt that the members of the established church ought to have proper funds appropriated for the support of the fabrics of the church. Government therefore proposed to abolish church-rates altogether, and, in lieu of the rate to make a charge of 250,000*l.* on the land-tax. It was not intended that this annual grant should be spent in aid of all the purposes to which church-rates were now applied, but that it should be paid into the hands of the church commissioners, at present a temporary, but whom it would be found necessary to make a permanent body, to be applied as the repairs of the fabrics should require. It would be found from the returns that the sum hitherto applied was not quite 250,000*l.*, but then it would be recollected that in many instances the church-rates had been mortgaged. These mortgages would form the first lien on the 250,000*l.*, but he did not think it would require much

to satisfy these claims, and he had no doubt that the funds he proposed to cover the expenses would prove amply sufficient. As the law at present existed, the rector or lay impropriator was bound to repair the chancel of the church. It was his intention to relieve them from this charge, and in lieu of that to impose on them the charge of finding the necessities for divine service. Thus the grant would provide for the maintenance of the fabric of the church, of the chancel, and for the expenses of the church-yard. Neither did he think it would be an unfair arrangement, that those persons, who had the use of the pews, should be bound to keep them in repair. This was now the law with respect to faculty pews and professory pews, but not, he believed, with respect to pews in general. It might be said, that in his plan there was no provision for organs, or bells, or for other things which might be considered as church luxuries. If, however, these things were held to be necessary, he had no doubt they would be supplied by voluntary contribution. According to the system which he proposed, it would be necessary to propose some fresh check on the expenditure. At present the check was, that the vestry represented the parish which had to pay the expenditure which was voted. This was a very inefficient check. By the present practice the money voted for repairs, works, &c., might be sent out of the parish, but the regulations now proposed would keep all the money within the parish. Of the checks he had to recommend, the first would be, that the whole amount would be limited. If the church

commissioners found that the demand upon them was larger than the sum at their disposal would justify them in granting, they would, of course, be compelled to reduce or to dismiss the claim. In addition to this, when the churchwardens and the clergyman thought repairs were necessary, they would, in the first instance, be obliged to call in the surveyor of the county to examine and declare whether these repairs were in fact demanded by the state of the building or no, and then the surveyors would have to report to the quarter sessions, and upon a certificate from the quarter sessions only would the repairs be ordered and commenced. Thus, all the evils of extravagance, of which he hesitated not to say, there had frequently been a great deal, would be prevented. The result of the whole was, that although 250,000*l.* was to be taken from the land-tax, yet the church-rates were to be done away with altogether, and these averaged between 500,000*l.* and 600,000*l.* annually. The amount of last year's church-rate was 560,000*l.* The effect of the measure consequently would be to relieve the people of England from a very heavy tax.

When lord Althorp announced on the 18th of March, that he had a plan to propose in regard to church-rate, he had said that he trusted and believed that it would give satisfaction, and that he was sure it ought to do so. However unaltered his conviction might remain, he now found his expectations utterly disappointed. The friends of the Dissenters immediately attacked his plan with unmeasured violence, led on by Mr. Hume, who moved, that all the

VOL. LXXVI.

words in the resolution should be left out except those which declared, that church-rates should cease and determine. The proposal, they said, was nothing less than an experiment on the gullibility of the Dissenters—a contemptible juggle, founded on the old financial principle, that if money were taken out of the pockets of the people by indirect instead of direct means, they would not be sensible of their loss. The government, when it surrendered the church-rates in Ireland, broke the magic circle of the inviolability of church property; and the English Dissenters never would be content until the same measure of justice was dealt out to them—namely, the unconditional surrender of church property. The Dissenters complained of the grievance of being compelled to pay anything towards the expenses of a church which was not their own; and the relief tendered to them was, to continue to pay as much as before, but in a different shape, though for the same purpose. The Dissenters did not complain of having to pay much, or of having to pay directly; they complained of having to pay a single farthing in any shape. It was a question of conscience, not of sums, and checks, and other paltry details. The exaction could not be presented in any point of view in which it did not appear as a grievous and distressing impost, and an infringement of religious liberty; for the restraint was the same whether it presented itself in the form of a pecuniary payment or of personal imprisonment. It was the undoubted right of every man to worship God according to the dictates of his own

[P]

conscience, without being punished for doing so either in purse or person. It was not to be endured that men, who, like the Dissenters, paid from 500,000*l.* to 800,000*l.* a-year for their own places of worship and their charitable institutions, should be called on to contribute to the expenses of the established church. The demand of the Dissenters was this, that not one farthing should be taken from them directly for church-rates, and that not a farthing of the general taxation of the country, to which they contributed, should be applied to church-rates. Let government say they would concede, or would resist this demand; but let them not add insult to injustice by refusing all that was worth asking, while they granted what nobody cared about, and yet professed to be giving relief. The Dissenters would in fact be worse off than before. At present they possessed to a certain extent a control over the church, which the proposed plan would take out of their hands by converting the church-rate into a charge on the general revenue of the country. All this was done, too, while there were funds in abundance, without taxing either Dissenters or members of the church. The church itself was wealthy enough to provide for the building and repairing of churches. It was demonstrable, that the revenues of the church were more than sufficient. It was generally admitted, that there were sinecure offices in the church which might be abolished or reduced without in any degree impairing the efficiency of the establishment, though such a course might possibly affect the festivities of the

deans and chapters. In no case, at least, ought the state to furnish to the church more than was necessary; yet here the people were asked to furnish 250,000*l.* a-year, while they were kept absolutely in the dark as to the true extent of the resources of the church. They had never been informed of the real available property belonging to the establishment; and it was not acting a very friendly or devoted part to the church to allow them to be constantly, as at present, speculating unsatisfactorily upon that subject. Until it was shown that the revenues of the church were not sufficient for its support, without the aid of any tax whatever, there was no reason for voting 250,000*l.*, or any other sum for church purposes. Did ministers seriously mean, that while the house was abolishing sinecures in all other quarters, they were to suffer a nest of sinecures to exist in the church? Why should they suffer deans and chapters, which were a mere batch of sinecure offices, to exist? Why not let their revenues, one and all, fall in as the places became vacant?—Mr. Hume said, that if the clergy wished to have a separate establishment, they ought to give up their revenues altogether. Then let the chancellor of the Exchequer put them into the budget, and let the house provide for the bishops and all classes of the clergy in the way which should seem fit, and proper, and becoming to parliament. He did not wish to touch the revenues of the church—not just yet. The country was not prepared for it yet. He never put forward a proposition which he did not hope to carry by convincing the

house of the soundness and correctness of his views, and he did not, he repeated, think that they were yet prepared to receive a measure such as that to which he had alluded.—Other members objected to the resolution on the ground of its injustice to the public at large. Church-cess was essentially an original charge on the land, just as much as tithe; and the effect of the measure would be to relieve those who had no claim to relief at the expense of the general revenue of the country, levied not only on the people of England, but also of Ireland and Scotland. It seemed singular that, after having found it necessary, only last year, to relieve Ireland from her own church rates, she should now be called on to pay part of those of England.

The friends of the church, again, objected to the plan, because it questioned the rights of the church, infringed on some of them, and left others on a less sure foundation; and all this without any reason in principle, and confessedly without any good result in practice. As to principles, had any man ever been engaged in any sale or purchase of property in which the consideration, in reference to the church-rate, was not as accurately defined as that on account of the house and window duty, the sewer-rate, or any other charge incident to the possession or occupation of property? Would any advocate of the Dissenters, speaking as one gentleman would to another, contend that a Dissenter paid church-rate in his capacity of Dissenter, and not in his capacity of a possessor or an occupier of property?

The charge was incident to property, and had no reference to the opinions of those who were called upon to pay it. If, indeed, the rate had been raised by a poll-tax, individuals might with some justice object to being compelled to contribute to the support of a church from which they dissented; but it was not consistent with those principles of justice, which ought to regulate the transactions between man and man, that any individual, who had purchased property subject to a particular charge, should claim to be relieved from it, because it might be he had changed his opinions since he became possessed of it. A man's conscience might teach him what to do with his own, but nothing could be more destructive to society than to allow one man's conscience to limit another man's right. If a man purchased property subject to a particular charge, he had no right to turn round and say that his conscience was burdened by the payment of it. As to practical effect, again, while it was said to be the object of the plan to allay the hostility of the Dissenters, and make them, if not intimate friends, at least good neighbours, of the church, the Dissenters themselves declared, and very justly, that they would be more savage than ever. The highest amount ever collected for church-rate was 566,000*l*. Admitting the respectability of the Dissenters, would any one say they contributed a twentieth, or even a fortieth, part of that sum? Taking the landed rental of the country at 51,000,000*l*., the church-rate amounted to 3*d*. in the pound on that sum; and the Dissenters, taking the whole of their property [P 2]

into consideration, did not pay one-quarter of a farthing in the pound. This being the case, the conclusion was inevitable,—that it was not of the pecuniary burden the Dissenters complained, but of being obliged to contribute to the support of the church. The only difference under the proposed plan would be, that instead of paying the rate to the churchwarden, they would have to pay it to the tax-collector. It was useless to allege that the Dissenter would have to pay less under this plan than under the existing system, because if he paid the 16th instead of the 4th part of a farthing in the pound, the burden upon his conscience would be quite as great in the one case as in the other.

Others reserved their opinions till the details of the plan should be embodied in a bill; but they thought it absolutely necessary, if it was intended to preserve an established church—and without an established church it would be impossible to maintain religion in the country—that some fund should exist for the purpose of defraying the charge of repairing the churches, and of providing for the decent administration of divine worship; and they would not allow individuals to exonerate themselves from any payment in support of the establishment by becoming followers of Johanna Southcote, professors of the St. Simonian creed, the doctrines of which were at variance with the first principles of society, or adopting any other form of dissent.

Lord Althorp, in his reply, expressed his great surprise that the Dissenters in the house should have received so ungraciously a proposition, of which it was one of

the main objects to give satisfaction to the Dissenters. It would give no relief, it was said, in point of principle; but there was a class of Dissenters, at least, who would not regard it in that light—he alluded to the quakers. It was well known that they would contribute towards defraying the expenses incurred specifically for the maintenance of the army; yet when the army was supported out of the general taxation of the country, he had never heard they objected to contribute their share. He was well aware, if church-rates were converted into a charge on the general revenue of the country, the Dissenters would pay a certain proportion; but he always understood that the principal grievance of which they complained consisted in being called on specifically to pay more for the support of the established church. It was an error to suppose that the proposed plan would increase the burdens of the country. It would have an entirely contrary effect. It was true that 250,000*l.* would be added to the land tax, but the country in general would be called on to pay 310,000*l.* than it had hitherto paid. It had been objected that, by the proposed government, the people of the land would be called on to contribute indirectly towards the support of the church of England; but considerable sums had already been paid out of the general revenue towards the support of the established church, and an annual grant was voted for the purpose of increasing the revenue of the smaller livings in Scotland. The principal argument used was that no contribution ought to be made by the state for the pu-

of maintaining the places of worship belonging to the established church. Now, he held that it was the absolute duty of the state to provide places of worship for the poorer classes of the community; and he believed it would be found that in all dissenting chapels the poor were accommodated gratuitously. He was anxious to remove the grievances of the Dissenters; but he would do so only on one condition—which, in his conscience, he felt bound to impose on himself—that he did not go so far as to destroy the established church. He had always been a sincere member of that church, and he should regret its separation from the state, not merely on religious grounds, though principally on that account, but also for political reasons. He thought it essential to the existence of the church that places of worship should be provided for the administration of its rites; and though he was aware that by his proposition he had left a great deal for private and voluntary contributions to effect, yet he had, nevertheless, maintained the principle, which he contended ought to be maintained, of the connexion between the church and state. On these grounds, and hoping that the measure would not be received by the Dissenters out of doors in the manner in which it had been received within that house, he should persevere in bringing it forward; and, with the permission of the committee, submit it to the consideration of the country.

On a division, the original motion was carried by 256 to 140; but, notwithstanding this majority, and the certainty of ultimate success, ministers proceeded no

farther with the proposed measure; and the question of these rates remained at the close of the session in the same unsettled condition in which it had been at the beginning. One advantage was gained, however, in the Dissenters having been brought to disclose somewhat prematurely the real purposes which they had in view, and to proclaim opinions which required the immediate abolition of all religious establishments in every part of the empire.

The government was equally unfortunate in another attempt to gratify the Dissenters by allowing them to celebrate the marriage ceremony in their own chapels, and thus escape from what they considered the grievous oppression of being married in a church of the establishment. A bill, introduced by Lord John Russell, provided that, the bans having been duly published according to the existing law, the parties should be entitled to demand a certificate of publication on paying a fee of 2s. 6d., and should then be entitled to have the ceremony celebrated in any dissenting chapel licensed for marrying by the justices, on application of any twenty resident householders, and by a dissenting minister on notice of the intended solemnization having been given on three previous Sundays. The Dissenters refused to accept the bill, principally on the ground that it still required that the bans should be published in the parish church, which they said involved a principle that rendered them inferior to their fellow subjects, by making it necessary to receive from another communion the basis of a contract which they ought to receive from

their own;—thus furnishing another proof that their sole object was to reduce the established church in every respect to their own level, and another instance of the paltry pretexts to which they were willing to have recourse, to find excuses for blaming every measure which did not tend to that desired consummation. In consequence of their dissatisfaction, the bill was withdrawn.

The commutation of tithes in England was a subject still more complicated and difficult. There had not been, as in Ireland, any resistance to payment; there was no general opinion that tithe property should be treated differently from other corporate property; even the Dissenters had declared that they thought it stood on a different footing from the church rates, although their principles threatened the one with as much danger as the other. But notwithstanding these advantages, the question involved so many interests of different kinds, and so many details requiring minute attention and technical precision, that the adjustment of any fair and complete plan was a work requiring much time, patience, and circumspection. Early in the session (4th March) Lord Ebrington presented a petition signed by 9,000 occupiers or proprietors of land in Devonshire, praying for a commutation of tithe, but on a principle which betrayed the now so common mode of thinking, that considered the church as a possessor of wealth, from which every one should filch what he could. The petitioners complained that the demand of one-tenth of the produce of the land, by those who

contributed nothing to it, was at variance with all the principles of justice; and they earnestly prayed that the subject of tithes might be taken into the serious consideration of the house, with a view to their being permanently commuted on the basis of supposing the tithe-owner the proprietor of a tenth-part of the soil; but, anxiously as they desired a change in the existing tithe-laws, oppressive and unjust as they considered them, they would prefer their continuance to the enactment of any other measure that would have the effect of exempting the holders of tithe property from bearing their just portion of all parochial and other assessments, thereby severing their interests from those of the rest of the community. Lord Ebrington stated, that he himself did not concur in these sentiments, and that a majority of the great landholders who attended the public meeting at which the petition had been voted, were decidedly opposed to its prayer. Other members, likewise, while they admitted the propriety of commutation, and the evils resulting from the present system, dissented altogether from the particular mode of redress proposed, which some of them characterized as “one of a most gross character, tinged with more of the character of robbery and plunder, than any plan ever before suggested to the house.” Others, again, thought that it did not deserve this character, when it was properly understood. What the petitioners prayed for was this—that the land should be valued as free from tithes, rates, and taxes, and that a tenth should then be taken and set apart for the support of the

church, that tenth also being liable to rates and taxes the same as the other nine-tenths. They were of opinion that there should be no commutation of tithes, until a valuation was made of the net rent of the land; otherwise the tithe owners would be doubly taxed. If, instead of being paid in kind, the tithe-owners were to be paid in money to the full value of the tenth of the produce of the soil, how could there be any redress of grievances? In place of a redress of the grievance, it would be an aggravation. Such a measure would give the tithe-owner the whole profit of the land.—Lord John Russell, the only minister who expressed an opinion, thought the petitioners wrong, but their error not unnatural. Having heard it said that church proprietors were the same as other proprietors of the soil, the Devonshire yeomanry were doing what it was not unnatural for those to do, who considered church property like other property. They thought that, while claiming only a part, the church took all the profit; but the petitioners conceived that if the profit were large, the clergy should take only a tenth of that large profit, and if the profit were small, they should take only a tenth of that small or inconsiderable profit; and upon this they proposed a plan of commutation. At this point he was compelled to differ from them. He did not think, the clergy being legally entitled to a tenth of the produce, that it would be a fair commutation to give them a tenth of the profit. It was said that the rent of the land in Devonshire was not a third of the value of the produce, or not above a third of it; there-

fore, what the petitioners asked was, that the legal right of the clergy to the tenth should be commuted into a thirtieth of the produce.

On the 15th of April, the ministerial plan of commutation was brought forward in the house of Commons. It was contained in the following resolution: "that it was expedient that the payment of tithes in kind should cease and determine, and that in the several parishes throughout England and Wales there should be substituted in lieu thereof a payment to the parties who might be entitled to such tithe, such payment bearing a fixed proportion to the annual value of all land whence tithe might be payable, that value to be ascertained throughout the several counties at large, striking an average on the parishes in each county; also that all owners of property liable to tithe be at liberty to redeem the same at the rate of twenty-five years purchase." In moving this resolution, lord Althorp set out with two propositions which he thought could not reasonably be denied; first, that whatever difference of opinion might exist as to the abstract right to tithes, they did not belong to the landlord; secondly, that the revenues of the established church were not larger than its purposes required. The tithe, therefore, must be treated as property belonging to the church; and consequently it could not be taken without a fair equivalent. It was often said, no doubt, that if a fair equivalent was substituted, no relief would be granted to the occupier of the land; but this was a mistake, for there was in the mode of collection a source of

irritation, and occasions of unpleasant collision between the payer and the tithe-owner, which would be avoided by commutation. Besides this, the owners and occupiers of lands would be positive gainers; for where they had laid out their capital in the cultivation of the soil, they were often losers by the tithe being taken in kind.

By a fair equivalent, however, he did not mean a recompense equal to the present full value of the tithe, but he would go on the scale of what was the customary payment. In various cases, indeed, it was difficult to say, what was the exact value of the legal right. Many circumstances increased or diminished the value of the tithe, such as the distance from a market-town, the difference of soil, and the expense of cultivation; and the best way was to take the ordinary value. In commuting this value, again, government had given up the idea of taking a corn rent, and had adopted, as the foundation of their plan, this principle, that the tithe should bear a fixed proportion to the rent of land; rent and tithe thus falling together, and that the tithe should be paid, not by the occupier but by the owner. It was true that rent and tithe did not depend on the same principles, and in some instances, therefore, tithe ought not to be measured by rent. Thus the tithe was higher on arable than on pasture lands; but there would not be much difficulty in arranging this, as a guide was to be found in most enclosure bills, in which, when land was given in lieu of tithes, a larger amount was given for arable, and a smaller for grass

land. Another distinction was, that where the rent was low, the tithe bore a greater proportion to its amount than where it was high; and the same principle applied to tithe as compared with the expense of cultivation, for where the latter was great, the tithe bore a less proportion to the rent. Therefore in endeavouring to regulate this, the tithe should be apportioned to the rent, according to the present amount of tithe; and a larger amount of tithe should be given, where the rent was low, and a less where it was high; but it would be difficult to make any scale of this kind in an act of parliament. It was sufficiently ascertained that the proportions subsisting between rent and tithes were most various, and that any attempt to apply the same rule to both could not fail to operate most unequally. The effect of a rule supposed to be generally equitable would in some cases amount to nothing less than an increase upon the existing tithes equal perhaps to twenty-five per cent, while in others it would prove a diminution to that extent; but by ascertaining the average proportions in particular districts, the object in view would be fully accomplished. It was proposed, then, to fix a different proportion for each of the different counties of England and Wales in the following manner. An actual valuation of the tithes would be made in all the parishes in England and Wales, and separate valuers would be appointed for each county, the object of such valuations being to ascertain the amount of rent, and the value of the tithes, payable from both arable and pasture, distinguishing the

lay impropriations from the tithes payable to ecclesiastical persons. No land would be considered arable, unless it had been broken up at some time within the preceding five years. Hop lands would be treated as arable. The sums of these various payments were then to be laid before the quarter sessions, which would ascertain the proportion subsisting between the rent and the tithes, and determine what proportion of the burthen should be borne by arable, and what borne by pasture land, so as to preserve the relative pressure upon each in a condition as little altered as possible from its present state, and at the same time to maintain a proportion between rent and tithes as nearly similar as might be to the previously existing proportion between them—the whole being calculated on the average of the county at large, and not confined to the views of particular parishes. The valuation, however, was not to be final; for an appeal would be allowed to a barrister appointed for the purpose of reconsidering the decision come to. Moduses and customary payments would not be introduced into the general calculations for counties; but each individual modus would be allowed to stand as a separate case, without diminishing the whole amount for the county.

This plan was, no doubt, still liable to the objection that it did not purify the tithe system from its tendency to check the investment of capital in the improvement of land, and that it did not directly declare that tithes were to remain stationary, while land went on indefinitely improving; yet everything material in the

very plausible objection would be obviated, and every motive and facility for preventing its injurious operation upon the investment of capital would be afforded by giving to tithe-payers an easy and equitable mode of redemption. Part of the plan, therefore, was, that the owner of the land, whether he paid his tithe to the clergy or to the lay impropriator, should have the right of redeeming it at twenty-five years' purchase, —a fair rate, as the owner of the land would thereby gain four per cent for the money he advanced, besides securing to himself the full prospective advantage of any amount of capital which he might think proper to invest in the improvement of his property. The sums paid under that plan of redemption on account of clerical tithes would clearly be clerical property, and might, of course, without the least objection, be placed at the disposal of a clerical commission. It was proposed that, in every diocese, the bishop, with such other commissioners as he might nominate, should receive the amount paid for the redemption of tithes, and invest it in land, or other securities for the future advantage of the incumbents of those livings whence they were derived. In order further to facilitate redemptions, payers of tithes, who might not find it convenient to discharge the whole sum at once, would be at liberty to render it an incumbrance on their properties in the nature of a mortgage, bearing interest at the rate of four per cent, redeemable at the option of the borrower, but without the mortgagee having the power of foreclosure. There might be some difficulty as re-

spected the redemption of lay impropriations, but it was proposed, that in such cases the payer of the tithe should lodge his redemption money in the court of Exchequer, to be drawn thence by the person who should prove himself entitled thereto. It was further stated in answer to a question, whether the income of the clergy was to be liable to poor-rates, that as the rent was a payment minus the poor-rates, and the commuted payment for tithe would be calculated on the rent, to reduce it still further by the amount of the poor-rates would be unjust, as it would be burthening the tithe with that payment twice over. When the redemption money, however, was converted into land, that land would be liable to the poor-rates.

In the discussion, or rather conversation which followed, several members expressed approbation of the general features of the plan; some complained that it did not provide for a different appropriation of church funds, or make the tithe-owner liable to parochial rates and taxes; the greater number reserved their opinion till a bill should be brought in, and stated various points in which the measure seemed to be objectionable.—Sir Robert Peel did not wish to be pledged to all the propositions contained in the resolution, which was besides so vague, that it effected nothing. It was proposed that the proportionate value of tithe to land should be ascertained in the different counties of England and Wales: this principle was carried still further, for each county was made a distinct territory within itself with

respect to tithes; and, the average proportionate value of tithe to rent in each county being ascertained, that average was to be applied to every parish and every estate within the county. Yet this principle was in no way affirmed by the resolution. Why, then, enter into details at all in the resolution, unless it was meant to be contended that resolutions passed by the house of Commons were mere waste paper. After six months' consideration, the bill introduced last session for the purpose of facilitating the commutation of tithes, had been abandoned, and the house could not be called on to assent to it. What right, then, had the noble lord to call upon him (Sir R. Peel) to assent, on the instant, to the principles contained in the resolution, if that resolution was intended to be of any force? There were several points which required much consideration and explanation. What connexion, he should like to know, was there between the payment of tithes and the territorial division of the kingdom into counties? Let the house consider what the consequences of this arrangement must be. The practice with respect to the payment of tithes would be found to be different in different counties, and in different parishes of the same county. In some the proportion, which the tithe bore to the rent, was very much larger than in others. For instance, the proportion, which the tithe bore to the value of land, was considerably higher in Devonshire and Kent than in some other counties; yet the effect of the noble lord's bill would be to fix in those counties the proportion for

The distinction, likewise, between great tithes and small tithes had been overlooked. Was it intended that land subject to small tithes within a county should hereafter pay a contribution on the average of the land subject to great tithes? What was to be done with respect to the case where the title to the tithes was contested. Suppose the question should arise whether milk was subject to tithes in that way was the dispute to be settled? These, and many other points, were things which no man had a right to have brought up to his satisfaction, being called on to affirm the principles contained in the resolution. He was ready to give assent to a general resolution, thinking it expedient that leave should be given to bring in a bill for the purpose of effecting a commutation of tithes in England and Wales, and he would move such a resolution as an Amendment. The question would thus stand upon the bill.—Lord Althorp admitted that the resolution which he had proposed was extremely vague; but he would have moved a resolution at all, if the forms of the house had not required it. As its terms, however, had been objected to, and as it had been moved merely as the necessary means to the introducing of a bill, he would propose it in the following shape: That it is expedient to effect a commutation of tithes, and to abolish the payment of tithes in England and Wales, and in lieu thereof to substitute another payment to be made to the parties entitled to tithes; and that the power of commutation should be granted to

the payers of tithes at a certain number of years' purchase." In this amended form the resolution was agreed to; but the principles or the details of the proposed method of commutation, were found to be so little palatable either to the clergy or to the landholder, that the measure was dropped altogether. Lord Althorp assigned as a reason for not going on with it, that he saw, from the state of the public business, and the time which would require to be devoted to the more urgent business of the amendment of the poor laws, that there was no probability of its being brought to a successful issue before the session terminated.

Even the church of Scotland, notwithstanding its apostolical poverty, and the uniformity of its Presbyterian purity, did not escape from the prevailing spirit of innovation. In Scotland, as in England, many of the Dissenters now laboured openly after the abolition of the establishment, preaching the great doctrine that the state should no more pay men for attending to the souls of its subjects than physicians for taking care of their bodies. Instead of seeking any concealment, they formed themselves into societies, called "Voluntary-church Associations," and held public meetings for the furtherance of their object; while other sects of Dissenters came forward as publicly to fight the battle of the church, whose triumph did not appear to be doubtful. The friendship of these latter had been the more strongly conciliated by an alteration which was effected in the system of lay patronage. The

existence of this right, or the use of it in settling presentees not agreeable to the parishioners, although not liable to any objection to which the laws of the church could give effect, had been to a great extent, the original cause of secession from that church. From the date of that secession the church itself had contained a strong party, which held that the power of patrons should be, not abolished, but so regulated and curtailed, as to prevent the possibility of a presentee, however qualified according to the laws of the church, being imposed upon a congregation, the majority of whose members were unwilling to receive him. The late political changes had given a great accession of strength to this party, not only by fostering everything connected with the extension of popular rights or demands, but likewise by its practical effect on the constitution of the general assembly. The Scotch borough reform bill had placed the election of the magistrates and town councils of Royal Burghs in the hands of the 10 $\frac{1}{2}$. householders. Those bodies were now filled with men, all of them the rash and subservient worshippers of what were called liberal principles, many of them rabid Dissenters, and members of voluntary associations. The town council of every burgh sends a member to the General Assembly; all these representatives were now ranked on the side of innovation, which their predecessors had been accustomed to oppose. The consequence was, that the general assembly of this year passed an act which did effectually regulate and restrain the power of the patron,

but did so by transferring the power substantially to the people, and transferring it in the worst possible way, preparing in every parish the seeds of dissension among the parishioners themselves. This act set out with declaring it to be a fundamental principle of the church of Scotland that no minister should be forced upon a parish contrary to the wishes of the parishioners. It then made provisions for forming and keeping up in every parish a correct roll of the persons in communion with the established church; and enacted that when a clergyman was presented to a charge, if the majority of the persons on that roll should state to the presbytery simply that they disapproved of him, without assigning for their disapprobation any reason whatever, then he should be declared to be disqualified for that parish, and the presbytery was prohibited from proceeding to his induction. By the law of Scotland, if the patron does not present within six months after the vacancy has been intimated to him, the right of presentation falls to the presbytery within which the parish is situated *jure devoluto*. The new act provided that its regulations should not extend to such presentations by presbyteries. In that case disapproving parishioners were still to be bound to state their grounds of opposition, and the presbytery was to judge of the sufficiency and the evidence of these grounds of objection to their own presentee. The act could not become permanently law till a majority of presbyteries should have reported in its favour to the next assembly, but it was passed in the mean time as an interim

act. It was passed, however, only under a strong protest; and many persons of high authority, clerical as well as laymen, were of opinion that not only was the measure injurious to the rights of patrons, degrading to the church, and pregnant with bitter consequences to the people for

whom that church existed, but that the assembly, in enacting it, had exceeded its powers as an ecclesiastical court, and had attempted to do that which, from its encroachments on the rights of others as they at present existed, could be effected only by the legislature.*

* The reasons of dissent, signed by 106 members of the assembly, were the following:—

1st. Because, in the opinion of the undersigned Dissentients, it is unwise to disturb, by a measure conferring great additional power on one of the parties, the well-established balance of the three several rights possessed by the church judicatories, by the crown and qualified subject patrons, and by congregations, composing the system under the operation of which the ministers of the church of Scotland are appointed; the practical result of which system confessedly is, that a body of clergy is thereby composed, which, in point of respectability and usefulness, cannot suffer by comparison with that of any other church now or formerly existing.

2nd. Because the measure referred to must, in the opinion of the Dissentients, not only disturb and introduce confusion into the system under which the appointment of ministers is conducted, thereby creating animosities, litigation, and injurious delays in the settlement of parishes; but does further confer on congregations such a paramount power in the appointment of ministers, as in practice, ultimately to render nugatory the rights belonging both to the church courts and to patrons.

3rd. Because the ancient and undoubted right of the church, in particular, seems directly invaded by this measure, whereby her judicatories are no longer the sole and ultimate judges in all questions regarding the qualifications of nominees to spiritual charges; but congregations are empowered to judge of their qualifications, and to determine the same without assigning reasons, without record, and without review.

4th. Because the measure referred to assumes the character merely of an act, declaratory of the existing law of the church; while, in the opinion of the Dissentients, its provisions are subversive of laws and usages existing in conformity with the statutes 1567, 1592, 1690, through all periods of the history of the church, and are therefore in violation of the character of a declaratory act, and of the rights of presbyteries established by the Barrier Act.

5th. Because a measure of this character appears to the Dissentients by no means calculated to prove a final measure, or to give satisfaction to the discontented; but, on the contrary, to be peculiarly dangerous in the present season of public excitement, by opening up the way to irregularities and innovations, wholly destructive of our venerable church.

CHAP. VI.

Bill brought in by the Government to amend the Poor Laws—Statement of the alterations proposed—Debate on the Second Reading—Discussions in Committee—Motion to refuse owners' cumulative votes—Debates regarding out-door relief—Motion to reject the clauses making not the father of an illegitimate child, but the mother liable to support it, lost, but the clauses are modified—Provision making the parents of the mother liable, withdrawn—Debate on the Second Reading in the House of Lords—Speech of the Lord Chancellor—Of Lord Wynford, who moves that it be Read a Second Time that day six months. Amendment opposed by the Dukes of Wellington and Richmond, and the Earl of Winchilsea—Bill Read a Second Time—Discussions and Alterations in Committee—Debates in Committee on the Bastardy Clauses—Changes made in those Clauses—Other Amendments made by the Lords—The Commons refuse to agree to the Lords' Amendment expunging the provision entitling Dissenting Clergymen to enter workhouses for purposes of religious instruction to inmates of their own persuasion—The Lords do not insist upon it—Debates on Motions regarding Agricultural Distress—Debate on Mr. Hume's Motion to Abolish the existing Corn-Laws—Subsequent Discussions on the same subject—Motion for the Repeal of the Reciprocity Duties—Discussion on the Tea Duties.

AS in former sessions, the attention of parliament was repeatedly called by petitions to the depressed state of the agricultural interest. Government admitted that these complaints were not altogether unfounded, but found it more difficult to devise expedients by which they might be removed. Sir R. Peel having presented (24th March) a petition from the grand jury of the county of Stafford, comprising some extensive manufacturers, praying that the system of taxation might be revised with a view to a more equal apportionment of the public burdens among all classes of the

community, Mr. Littleton, one of the county members and a minister, concurred in every sentiment which the petitioners expressed, and especially in the justice of their complaints against the rates which were so peculiarly oppressive to the proprietors of land. To diminish this pressure was one professed object of a bill for altering and amending the poor-laws, one of the few important measures that were carried through during the session. Soon after their accession to office, the present ministry had appointed a commission of inquiry into the state and operation of the poor-

laws, as more useful for collecting facts than any parliamentary committee. The inquiries of the commissioners were to be directed towards ascertaining what was the cause why, in some parts of the country, the poor-laws were considered a benefit by parishes, while in others their operation had been ruinous and destructive ; and why in some agricultural districts certain parishes existed in which the poor-laws appeared to do no harm at all. It was expected that the information thus obtained would enable parishes, where injurious effects had arisen, to profit by the example of other parishes where different arrangements had led to different consequences. The commissioners had made their report, and an abstract of the evidence which they had taken had been printed in the course of the preceding session. That report impressed government so strongly with a conviction of the evils produced by the system in many districts of the country, that they resolved to propose a remedy to parliament. Lord Althorp accordingly, on the 17th April, moved for leave to bring in a bill to alter and amend the laws relating to the Poor.

The necessity of interference was maintained upon the ground that the present administration of these laws tended directly to the destruction of all property in the country, and that even to the labouring classes, whom they had been intended to benefit, nothing could be more fatal than to allow the present course to be continued. It was the abuse of the system, not the system itself that was to blame. The abuses were scarcely older than the beginning of the present century, and had origin-

ated in measures intended for the benefit of that class of the community to whose interests and welfare they were now most destructively opposed. A feeling at that period had got abroad that discontent existed amongst the working classes of the country, and a principle was then adopted in legislation, which, though well intended and very humane, had been productive of the most baneful effects. The 36th of George III, laid down the principle, that the relief to paupers ought to be given in such a manner as to place them in a situation of comfort. Now, however desirable it might be to place all our countrymen in a situation of comfort, yet to give such relief as was described in this statute was the duty of private charity, and should not be provided for by a compulsory rate. The effect of this law had been to give the magistrates the power of ordering relief to be given to the poor in their own dwellings ; and the same principle being followed up by the magistrates, it led from bad to worse, till all feelings of independence on the part of the labourers had been almost entirely extinguished in many parts of the country, and instead of the paupers being placed in a state of comfort, all the labouring population, in many districts of the country, had been brought into a state of deplorable misery and distress.

The dangers to be incurred by leaving matters as they stood, were so great and so urgent, that although the length of time, during which this system had been going on, rendered it necessary to legislate with caution, it was absolutely necessary to meet the difficulties of the case, adopt sounder principles, and carry them unflinchingly

into execution. In truth there were already examples to be followed. In about 100 parishes, in different parts of the country, the evils of the existing system had already compelled the inhabitants to have recourse to an improved mode of administration. Some of these parishes were in districts which had been entirely pauperized, and in every instance the experiment had succeeded. Where again the former system still prevailed, cultivation in some parishes had been actually abandoned : so heavy was the pressure of the rates, and so great the evils of mismanagement. The consequence was, that the neighbouring parishes were compelled to support their poor ; they, too, would soon be reduced to a similar situation ; and thus pauperism would stride with increasing rapidity throughout the land.

It was on the nature of this growing mischief, and the necessity of effectually checking it, that lord Althorp defended the first part of the government plan, which consisted in intrusting the poor-laws to a board of commissioners. He admitted that this was an anomalous course of legislation, and that the board would be vested with great and extensive powers ; but this was rendered unavoidable by the necessity of the case. A discretionary power must be vested somewhere to carry into effect the better principles now to be introduced. The local magistrates could not be the fittest depositaries of this power, because, however good their intentions, they would not have the command of those sources of information and comparison which were open to a board of commissioners, and, however excellent their motives, they

would be apt to be biassed by local prejudices and feelings. This power, therefore, was proposed to be vested in a central board of commissioners to be named by the king. Above all things it would be necessary, even before extending any discretionary power, to fix a day on which the allowance system should cease, and in the bill it would be fixed in some of the summer months, when the labourers were in full employment. This allowance system, the practice of supporting a labourer by the parish paying part of his wages and his employer the other, was the foundation of almost all other evils ; and until it was completely got rid of, any attempt at amending the poor-laws would be utterly useless. Where this system prevailed, the farmer obtained an advantage to which he had no right, namely, assistance from parochial funds to pay those whom he employed in his own labour. Its abolition was necessary for the benefit of the labourers themselves. Some, indeed, had supposed that, as the labourer at present had the wages received from his employer increased by an addition from the parochial funds, (the addition being regulated according to the number of his family), the effect of taking away that assistance would be to make it impossible for him to maintain himself and family. Such would not be the case. As the labourer regarded the parochial assistance, added to the wages he received from his employer, as making the total wages to which he was entitled for his labour and industry, in a very short time after the removal of that assistance wages would rise to an equivalent amount ; and as soon as that was the case,

the labourer would be placed in a situation infinitely preferable to that in which he at present stood.

The allowance system being thus abolished, and the central board established, next came the powers of the commissioners. In the first place, as it was desirable to have one uniform system operating over the whole country, they were to have power to make general rules and orders as to the mode of relief, and for the regulation of workhouses, and the mode of relief afforded therein. As a check against any abuse, every such rule, order, or regulation so proposed by the commissioners would be submitted to the Secretary of State; forty days were to elapse before it could be brought into operation; and during that period it should be competent by an order in council, issued for that purpose, to prevent it from being carried into effect. The discretionary powers, proposed to be granted to the commissioners, were, no doubt, extraordinary; but, at the same time, it would be utterly impossible to carry an improvement in the present system of poor-laws into effect, without acting upon great discretionary powers; and there was no more proper quarter in which that necessary power could be vested. The commissioners would farther have power to make specific rules and orders for the regulation and mode of relief of the poor in separate districts and parishes,—to form unions of parishes, in order to make larger districts,—to arrange classifications of poor in the same or different workhouses,—to exercise a general control in such unions as might be established without their consent,—and to dissolve unions which might

VOL. LXXVI.

now exist. Unions having been once formed, each parish in the union would have to maintain its own poor, or contribute to the general fund the proportion of expense which it had heretofore borne by itself. The individual parishes, if the vestries in each parish should agree to such a proposition, might make a different arrangement; but it was desirable, that parishes should have power to unite for the purposes of parochial settlements, and for the poor-rates altogether. The commissioners would, likewise, have power to call the attention of parishes and unions to the state of their workhouse establishments, and to suggest to them the propriety of adding to those formed, or of building separate and distinct establishments. At present the vestries were composed of rate-payers, and no one else, and in many instances a large expenditure was inflicted on those who had no vote in the vestry. It was, therefore, proposed, that with respect to raising permanent sums of money, such as for the purpose of facilitating emigration, and improving and building workhouses, the landlord as well as the occupier of land should have a vote in the vestry. It was only equitable, that such should be the case, because where the occupier had not been long in possession of a farm, and had very little interest in the expenditure, it was most desirable that the permanent interest in the land should have a vote in these cases.

Another fertile source of mischief had been the practice of ordering out-door relief, that is, of ordering parochial relief to persons in their own houses. The bill, therefore, would provide, that

[Q]

the justices should not have this power for the future. This would only be bringing back the law to the state in which it had been previous to the year 1796; a period, since which abuses had greatly increased in consequence of arrangements which formed no part of the original system.

The next point to be considered was, the law of settlement. That law was very complicated, involving every parish in the country in litigation, and expense while, in its own nature, it interfered with the free circulation of labour. The worst portion of it was that which gave a settlement by hiring and servitude; and the best alteration would be to abolish every mode of acquiring a settlement, except by birth and marriage. Children would follow the settlement of their parents till they attained the age of sixteen, and after that period their settlement would be fixed at the place of their birth. The consequence of this alteration would be, that the apprehensions at present entertained by the farmer of hiring a man for longer than fifty-one weeks, lest he should gain a settlement, would be abolished; the removal of his clothes from the house of his employer within that period for a day would become unnecessary; the farmer would not hesitate to take the servant best calculated to suit his purposes; and consequently the labourer, who best deserved it, would obtain employment. To these advantages must also be added the immense diminution in the expenses of litigation on questions of settlement, because, by simplifying the law, the difficulty of proof, which at present prevailed, would be almost entirely removed, while, at

the same time, it would give a freedom to labour, which would be beneficial to the whole population of the country. It would likewise be provided, that no order of removal should take effect until a copy of that order, and of the examination upon which it had been pronounced, should have been served upon the authorities of the parish to which the removal was contemplated; that every notice of appeal should set forth the precise grounds upon which it was to be sustained; and that, on the trial of such appeal before the quarter sessions, nothing should be pleaded or discussed, and no points raised, beyond those stated in the notice. The first of these measures would have a very considerable tendency to prevent litigation, inasmuch as the parish, which was sought to be burthened with the maintenance and support of a pauper, would be enabled to ascertain whether or not it was properly chargeable; whereas, under the present state of things, it was well known that removals of paupers were made under mistake, and those mistakes were not discovered, until the appeal was brought before the quarter sessions. The second regulation was also calculated to prevent litigation, because by such explicit statement the parties sought to be affected would be enabled to judge whether they had any prospect of success by opposing, and if not, the order would necessarily be abandoned.

There still remained one point, of great importance, both to morality and to the poor-laws; the alimient of illegitimate children. Government had a clear conviction, that the present state of the law in this respect was a direct

encouragement to vice and immorality; that the effect of imprisoning the reputed fathers of illegitimate offspring, frequently the finest young men in the country, was to demoralize and corrupt them; and that the consequent mischief and injury inflicted upon the whole community was incalculable. As the law at present stood, if a woman chose to swear that she was pregnant of an illegitimate child, the party, whom she charged upon oath as the father, was *ipso facto* liable to be committed to prison until he could find security for the maintenance and support of the child. Every man must know the difficulty to which a labourer in husbandry so situated would be exposed; and if the difficulty of finding securities was not surmounted, the effect of the law was the committal at once of the individual to prison for five or six months, there to be associated with the very worst of characters. The intended bill would, therefore, take away this power of imprisonment; and at the same time, make the mother liable for the support of her child, in the manner and mode of a pauper widow.

The great principles of the proposed plan, then, went to this, to stop the allowance system—to deprive the magistracy of the power of ordering out-door relief—to alter in certain cases the constitution of parochial vestries—to give large discretionary powers to the central commissioners—to simplify the law of settlement and removal—to render the mother of an illegitimate child liable to support it, and save from imprisonment for its aliment the putative father, to whom she might swear it.

The bill, by which these princi-

ples were to be carried into effect, having been brought in, the second reading was opposed by colonel Evans, one of the members for Westminster. While he admitted, that many things in the administration of the poor-laws required amendment, and that, in particular, some alteration was necessary to cure the mischievous tendency of out-door relief,—he thought that the whole bill was corrupted by the abolition of the powers of local vestries, and by the creation of the central board of commissioners; an expedient which was not necessary, had nothing in accordance with our general principles of legislation, and which could be effective for nothing but giving to the crown a vast increase of patronage. He therefore moved this resolution:—"That the existing abuses in the administration of the poor-laws require a strong and compulsory legislative enactment for their correction; but that any measures, with that ostensible view, which shall, in its tendency, be utterly subversive of the representative principle of local government, which shall tend to withdraw all power from rate-payers over the expenditure of their own funds, or which shall materially increase the influence and power of the crown, and of the administration for the time being, ought not, in the opinion of this house, to be adopted, unless some extreme and paramount necessity be made out, which cannot be surmounted by any means less objectionable, and less opposed to the free spirit of the ancient constitution of these realms."

This resolution was withdrawn, probably in consequence of sir S. Whalley, one of the members for Marylebone, being ready to move,

[Q 2]

as he immediately did move, on similar grounds, the amendment that the bill should be read a second time that day six months. He stated his opinion, that even the bastardy clause, which threw all the burden on the mother on whom rested already all the odium, thus holding out a premium to immorality, and an inducement to infanticide, and the clauses which affected the law of settlement, would of themselves justify the house in throwing out the bill ; but the point on which he principally insisted, was the creation of the central board of commissioners. That board, he argued, was unnecessary ; for the principal existing defect consisted in the rate-payers not having sufficient control over the expenditure. If they were only vested with complete control over the poor-law management, the evils of the present system would speedily disappear. The board in point of fact, would be vested with powers not enjoyed by any branch of the legislature. By the thirty-fifth section of the bill, they were to have the power of repealing by the lump, and at their sole discretion, public acts of parliament. Whether the house had the power to intrust such a monstrous authority to any set of men he had yet to learn ; but at all events he wanted no argument to convince him of the impolicy of doing so. The bashaws, whom the bill proposed starting into life, would be omnipotent. They might do as they pleased, and account for their acts by merely stating it was their pleasure. One avowed object of the present bill was, to get rid of magisterial interference ; and government attempted to do this by transferring the authority from responsible individuals to persons

latterly irresponsible. Why should ministers, if they desired to get rid of magisterial interference, create a more obnoxious and more hateful system of magistracy than at present existed ? There were to be no less than thirty-six discretionary powers vested in the commissioners, a degree of authority intrusted to three men of which the history of the country afforded no parallel. At all events, the government ought to wait for another session, before they undertook any poor-law reform. Already the report of the commissioners had led to the correction of many abuses, and time only was required to secure a trial to the greater part, if not all, of the recommendations that report contained. The amendment was seconded by alderman Wood, and supported by Mr. Walter, a reforming representative of Berkshire, who had expected from a reformed parliament and a liberal administration a diminution of patronage : but this bill created such a host of commissioners and sub-commissioners, and clerks and guardians, and other officers of almost interminable number, that the country would be very apt to think this part of the measure had not been one of its least recommendations to the government, and it appeared to him impossible to see the end of the power it put into their hands. Mr. Grote, Mr. Hume, sir Francis Burdett, Sir James Scarlett, and various other members, who spoke on the question, all agreed that there was no good reason against the second reading of the bill, though none of them approved of it as a whole ; and each of them pointed out some objectionable provision which might be amended or omitted in

the committee. The extent of power given to the commissioners, and the want of any effectual means for securing accountability were treated by most members as things which required correction. Sir James Scarlett said he could never consent to the delegation of authority, the *imprium in imperio* implied in vesting the commissioners with both legislative and executive powers. Sir Francis Burdett told a story of a bill brought in by Mr. Curwen, and still called Mr. Curwen's act, having been so changed in committee that a few lines of the preamble were the only part of the original bill that remained; and he would vote for the second reading of this bill, in the hope that it would share a somewhat similar fate.

The Chancellor of the Exchequer argued, in reply, that nothing had been stated, which could be regarded as being even ostensibly a good reason for not going into committee. All the matters, which had been noticed, would be open to consideration; and the bill, he assured the house, was not to be treated as a government or party measure; he would give way to any well-supported opposition which did not diminish the efficiency of the general principle of the measure. The objections had been principally directed against the central board. He admitted that no more power should be given than was necessary; and therefore when the bill came before a committee of the house, he should certainly not oppose any diminution of those powers which might be proposed, provided it did not go to such an extent as to invalidate the principle of the bill. The propriety of an appellate court of

appeal from the decision of the commissioners had been suggested; and he must say he did not feel inclined to oppose that proposal. He would also be happy to meet the inclinations of another member in doing away, as far as possible, with the indemnity proposed to be granted to the commissioners in their official capacity; at the same time that he thought that, in cases where they might be acting strictly in execution of the provisions of the act, they ought to be protected. If actions against them were permitted, it might be productive of great and unnecessary vexation and litigation, as attorneys in every country town would be constantly taking advantage of it to harass them in the exercise of their duty. As to the principle of enabling the commissioners to make laws and general rules, notwithstanding the objections which had been raised against it, was this so great a novelty as to afford a sufficient ground for rejecting the measure? Was not the power now vested in the magistrates of appointing the allowance scale almost tantamount to it? He was perfectly ready, however, to take into consideration any objection which might be raised upon this point, when the bill came before the committee; but the house should not legislate upon a matter of this kind without giving some credit to the commissioners, and the other officers who were to be appointed, for not seeking to exceed their legitimate authority. Some gentlemen had expressed alarm at the removal of power from the hands of the select vestries; but, so far from the useful services of the vestries being impaired, they would be increased when the bill came into operation.

It should be recollected that, under the existing state of the law, the magistrates had a very great compulsory power over the vestry authorities. On the proposed workhouse system, much misrepresentation appeared to exist. It was said that the bill went wholly to prevent the granting of relief out of the workhouse walls. Now the fact was, there was no one clause in the bill to that effect, but, on the contrary, a passage expressly declaring that, in cases of emergency, relief might be given out of doors.

The second reading was carried by an immense majority; only twenty members voting for the amendment, while 319 voted against it,

In the committee, a good deal of discussion took place as regarded the effect of the bill in establishing workhouses, a system which many members viewed with great distaste, and the extension of which they much dreaded, from the power given to the commissioners to assess parishes for the purpose of erecting workhouses. They were apprehensive that this mode of assistance would be universally adopted, to the exclusion of all out-of-door relief; while they thought the former not the fitting channel through which it should be furnished to the industrious poor, casually destitute of employment, though well enough fitted for the profligate and the idle. It was therefore proposed to limit the commissioners' power of assessment by giving it to them only with consent of the majority of rate-payers and owners of property. On the other hand, ministers explained that the clause in question could never lead to the consequences in question. The com-

missioners were not empowered to decide that there should be a workhouse in a parish, or in an union of parishes, or to assess for it in the first instance. The commissioners were empowered only to bring the propriety of erecting a workhouse under the notice of the rate-payers; whether a workhouse should be provided was a question to be decided by the rate-payers themselves; and it was only after they should have decided in the affirmative, that the commissioners were authorized to make an assessment to be applied towards the erection and maintenance of such establishments. Still, however, it was contended that the parish would have no effectual control over the erection of workhouses; that the operation of the clause would be to compel parishes of small extent, or in fortunate circumstances, but which might be united with larger and worse-managed parishes, to contribute to the erection of workhouses which they did not require; and that the power of the commissioners over the aggregate, formed by parishes which they had united, would be greater than their authority over individual parishes. The original clause, however, was retained by 113 votes against 12.

By another clause of the bill while, owners were allowed to vote, as well as occupiers, the former were to have cumulative votes proportioned to the value of their property, and were to be admitted to vote by proxy. Both of these arrangements were objected to as being inconsistent with popular rights and good management. It was argued that the owner ought to stand on no better ground than the occupant and rate-payer. It

was of importance to render the bill as popular as possible, and nothing was more unpopular than cumulative votes. The effect was felt in every vestry where such a mode of voting was sanctioned; for the rate-payer was, in most cases, overborne by the cumulative votes of the owners of property. The more the administration of the poor-laws was left in the hands of the rate-payers of the middling and lower classes, the better and more economically would they be administered. At all events, if the clause remained, it ought to be restricted to rural parishes, leaving only single and independent votes in towns and cities. As to the right of voting by proxy given to the landlords, some considered it altogether unconstitutional, and were surprised that ministers should have introduced it, when the propriety of its continued existence even in the house of peers was called in question; while others, even of the movement party, considered it to be, in this case, quite unobjectionable. The chancellor of the exchequer answered, that he had no doubt that in town parishes great objections would be taken to the granting of this right of cumulative voting to the owners of property; but it did not appear to him that any mischief would be produced by it. The great number of the rate-payers in the metropolitan parishes rendered it impossible that they could be overborne by the cumulative votes of the owners of property, and it was not worth while to alter the bill to obviate the objections that might be made to this clause in those parishes. On the other hand, great objections would be made by other parishes, for instance, the parishes

in Lancashire, against taking away the right of cumulative voting from the owners of property. To exemplify the injustice of taking away that right, he would put the case of a landlord who had in his possession the greatest portion of a parish, but who would not have more power, though he had infinitely more interest in the administration of its parochial concerns, than any of the occupiers of property in it, unless this cumulative right of voting should be granted to him. No danger would arise in the conduct of parochial affairs from granting this power to the owners of property; the great danger being to be apprehended from the occupiers of property not caring about the increase of the poor-rates. For although, in the general case, the expense of maintaining the poor fell on the occupant in the first instance, there was not the least doubt that the effects arising from an increase or diminution in the poor-rates affected the landlord much more than the occupier of the soil. Owing to a variety of causes, the occupier of the soil was not so much concerned in an increase of the poor-rates as the landlord was. He could, for instance, say to himself, "If the poor-rates are high my rent must be low," and in that way he could counterbalance the evil. The landlord was ultimately the suffering party. As to voting by proxy, a great difference of opinion might exist as to the propriety of the principle in political matters. But it was a different thing to allow owners of property, as a matter of accommodation, to vote by their agents in questions pecuniarily interesting them. If a gentleman who lived in Northumberland pos-

sessed the right of voting in respect of a property belonging to him in Cornwall, of what use would that right be to him, unless he could exercise it through his agent? The clause was retained by 128 to 35, in regard to the cumulative votes of proprietors, and by 125 to 30 in regard to their privilege of voting by proxy.

The 45th clause of the bill provided that it should be lawful for the commissioners by such orders or regulations as they should think fit, to declare to what extent the relief to be given might be administered out of the workhouse. An amendment was moved, "that no rule or order of the commissioners shall prohibit the guardians of unions from giving relief out of the workhouse to such of their sick or impotent poor, and to such widows, orphans, and illegitimate children, as they may think fit so to relieve." It was contended that the power given by the clause to the commissioners resident in London, would remain more beneficially with those who were on the spot, who were much better able to decide in what cases relief ought to be administered. By the proposed clause, if a labouring man fell sick, or was deprived by other causes of his ability to support his family, and required a little temporary relief, he would be driven, with perhaps a large family, into the workhouse, from which it would be impossible to say when he would return. This would be a very great hardship, and would be attended with the most injurious consequences. The same observation applied to widows, to orphans, illegitimate children, and others, who, from want of a little temporary relief, which could be administered at the discretion of

persons on the spot, might be confined to the workhouse for the rest of their days. The clause was bad, too, in point of economy, for by forcing a whole family to seek protection in the workhouse, expenses to a much greater extent must be necessarily incurred to the parish, than if they were relieved at their own home. In many instances the aged poor were content to receive half-a-crown a-week from the parish funds in aid of their maintenance out of the workhouse; whereas, if they were compelled to reside within the workhouse, a much larger sum of money must be expended in their support. The temporary relief required would be small; but, by being confined to the workhouse, they would be prevented from obtaining employment, and consequently would remain for a much longer period a burthen upon the parish. Besides, in many instances the members of the same family might be separated and placed in different workhouses, by which means the amount would be greatly augmented. In large manufacturing towns, where it was impossible to find employment for the poor, the operation of this clause would be peculiarly injurious. Before the men went to the workhouse, they would be compelled to sell all their furniture, hand-loom, &c.; and having disposed of every thing they possessed and gone to the workhouse, they had no prospect of ever returning to their work, as the most they would be allowed was a penny a-day from the workhouse. It would, therefore, be three years before they had even a bed to lie upon, and they might never be able to obtain a loom, which was the means of getting their livelihood. All this evil might be averted

by a temporary relief out of the workhouse. Another necessary effect of this clause would be, considerably to increase the number of inmates in workhouses. Persons of good character, by being driven to the workhouse from want, must necessarily mix with the mass of all sorts of persons who would be congregated there; they would thereby become greatly demoralized; they would acquire habits of indolence, and being unable to extricate themselves, the whole country would ultimately become pauperised. On the other hand, it was contended, that although the bill would go too far, if it provided that, neither now, nor at any future time, should relief be afforded out of the workhouse, it contained no such enactment. The bill gave the central board the power of issuing rules consistent with the existing laws as to the support of the poor, and provided, that in certain cases they should say that relief should not be given out of the workhouse; but so far from making this prohibition universal, it contained a proviso enabling the guardians of the poor, in all cases of emergency, to depart from the regulations of the commissioners, but requiring that, within fifteen days after every such departure, they should report the same, and the grounds thereof, to the commissioners. The question then was, in whose hands should the discretion of granting or withholding out-door relief be placed. There was no doubt that the guardians were likely to have great local knowledge; but it should also be recollected that they were not unlikely to be influenced by intimidation, particularly in pauperized districts. This, then, was a good reason for giving

the proposed discretionary power to the commissioners in preference to the guardians. Considering their responsibility to parliament, and the publicity of their proceedings, there was no reason to fear that they would abuse their power. Only 40 members supported the amendment against 148, who preferred the original clause.

In the clauses regarding settlement, settlement by having occupied a tenement, and having been assessed to the poor-rates in respect of it for the space of a year, and having paid such assessment, was added to settlement by birth and marriage.

The clauses which relieved the fathers of illegitimate children from all legal obligation to maintain them, and laid that burden on the mother as if she had been a widow, occasioned a good deal of discussion.—Mr. Robinson, member for Worcester, moved that these clauses should be omitted, by no means on the ground that he held the existing law, as to bastardy, to be faultless, but because he thought it clear that this was not the sort of amendment which it required. The proposed clauses removed the liability of the putative father. He did not object to so much of them as repealed certain acts affecting the mother; but he did decidedly object to the part which removed the liability from the father. He objected to the 70th clause, which had an *ex post facto* operation, as it relieved all putative fathers who were now under recognizances or in custody for not giving security for the support of any child already sworn to them, but not yet born, from all such recognizances, and directed their discharge on application to a visiting magistrate. In

the 71st clause he found, to his astonishment as a man and a Christian, that the liability, which was removed from the father, was placed on the mother of an illegitimate child, and that she was bound to support it. In the 72nd clause the same principle was adopted, but carried much farther. It proposed, that in case the woman should be unable to support her bastard child, the liability should rest on her father, or if he were not alive, or being alive, was not able to support it, then the liability was to fall on the grandfather or grandmother. Could the house seriously entertain propositions of this nature, or consent to pass enactments so contrary to every principle of justice and humanity? If the fathers of bastard children were to be relieved from the burthen of contributing to the support of their children, on whom was that burthen to fall? On the mother, said the supporters of the bill. But in nineteen out of twenty cases, in which a female gave birth for the first time to a bastard child, it would be found that she was not able to maintain herself and child. It had been said, that if you threw upon the woman the burthen of maintaining her bastard child, you would lessen her disposition to indulge in licentious passion. That man, however, knew little of human character, who fancied that this would render deviations from chastity less frequent. Prudential considerations might paralyze, but they never could annihilate the natural desires of woman; nor would it stop the career of licentious men to inform them that they might commit seduction with perfect impunity, and that they might gratify their wicked inclinations

at the sole expense of their victims. He was anxious to learn from the supporters of the bill, on what principle they proposed to relieve the man, who was the most guilty party, from the consequences of his misconduct, and to charge them all upon the unfortunate woman. He much feared that these clauses would lead to the concealment of the birth of children, and to infanticide after their birth—offences which were already too rife among us. If the restraint, which this clause contemplated, should be found to fail in practice, and if females should still listen and yield to the solicitations of vicious men, it was impossible to conceive that, with all the shame which they must undergo, and with all the struggles which they must encounter to support their children, they would not often be driven to destroy their offspring. It was a great mistake to represent our poor-laws as the cause of licentiousness; for the number of illegitimate children born in countries where there were no poor-laws, was much greater than here.

Lord Althorp protested against these provisions being discussed as matters of feeling; they must be looked at as they affected, not one portion of society, but the whole of it; and looking at the question in this point of view, he was prepared to support this part of the bill, "as a boon to the female population." The experience of every man taught him that one of the effects of the bastardy laws was to inflict great mischief on the female population. Another was, that it diminished the inducements of every female to retain her chastity. A third effect of these laws was, that,

under the operation of the existing enactments, females attempted by the number of their bastards, to obtain a settlement in marriage, and the tendency of the existing law counteracted in a great degree that moral feeling, on which success in this question mainly depended. A fourth was, that if the allowance charged for the child upon the father was large, it was given to the mother, whether she wanted it or not. He was afraid that perjury was often committed by the mothers to obtain a large allowance from men who had never had the slightest connexion with them; at any rate there was a strong inducement for a woman to filiate her child upon a man who had not begotten it, provided that he was rich and could make a large allowance. Another effect of this system was, that women with two or three bastard children were often in a better situation than those women who had none. Such were the most prominent evils arising from the existence of our present code of bastardy laws. They took from the woman every feeling which was calculated to nourish modesty of thought and delicacy of conduct. They placed a check upon the man, and held out to the woman an inducement to violate the laws of chastity. The check was applied in the quarter where it was calculated to be the weakest, whilst the inducement was held out to the other sex, as if for the purpose of counteracting that great moral check which arises out of the principles of human nature. He was satisfied that, for many years past, the existing law had been most detrimental in its consequences upon the lower orders. An alteration

in it was imperiously demanded, especially so far as related to women being compelled to filiate their children on some man or other, even before the children were born. After the children were so filiated, the justice was empowered to commit the putative fathers to prison in default of bail, and that too, without calling upon them to show cause against his order. That regulation should be done away with. The question before the Committee at that moment was simply this—"Will you admit the clause as it now stands or will you not?" If they would not admit it, then the other alternative was, that the bastardy clauses should be severed from the present bill, and that they should proceed with these clauses in a future session of Parliament. He had now stated the principles on which he wished the bill to stand; but the Committee would not forget that, in introducing the bill, he had told the committee that the bastardy clauses might be severed from it without any injury at all to the other clauses which the bill contained. The general feeling in the House seemed to be that the clauses should either be taken out of the bill, and the matters which they involved, made the subject of a separate measure, or that they should at least be postponed till some middle term should be devised; for it was felt to be difficult to justify the absolute impunity conferred upon the father. The great majority, however, preferred the latter alternative, only thirty-three members voting that the provisions in question should be expunged.

On the 21st of March, a modified form of the leading clause was

tendered by Mr. Miles, one of the members for the eastern division of Somersetshire. The amended enactment still refused any claim to the mother against the father, and gave no power of demanding security before the child was born; but it exposed him to a claim at the instance of the managers of the poor. In the event of an illegitimate child becoming chargeable in consequence of the mother being unable to maintain it, the overseers were to provide for it and the mother in the work-house; and thereupon, the justices were authorized, on the application of the overseers, to ascertain who was the father, "upon the oath of the mother, and such additional evidence as they might require," and to order him to repay to the poor's-funds, the expenses incurred by the delivery of the mother, together with such weekly sum as should be equal to the cost of maintaining the child. If these weekly payments were allowed to run in arrear for two months, the justices were empowered to order the debtor to be brought before them, and, in default of his then paying up the arrears and the expenses of his apprehension, to levy them on his estates and effects, or by attaching his wages. If they could not be recovered in any of these ways, the justices might commit him to hard labour in the House of Correction for a period not less than six weeks, nor longer than three months. The justices, if they thought it advisable in the circumstances of the case, might levy one principal sum in lieu of weekly instalments, on payment of which, the father should be discharged of all future claims in respect of the child. The child or its mother was to have no

right or interest whatever in any of these sums. The Chancellor of the Exchequer, though he would have preferred the original provisions of the bill, acquiesced in the adoption of the proposed clause, as he saw that the opinion of the house was in its favour. It still punished the father with imprisonment, if he could not pay, and would thus lead to miserable, improvident, and almost compulsory marriages. The clause enacting that, where the mother of an illegitimate child was dead, her father or mother should be burdened with its maintenance, was also given up, so general was the disapprobation with which it was received. Mr. Cobbett, laying it down to be perfectly right that the relations of poor persons should maintain them, actually divided the house on an amendment—that this clause should be extended to "paupers on the pension list" receiving money for which no public service had been performed; and that on the children's parents, or grand-parents of any such person failing to maintain him or her, the pension should cease and determine. He found sixteen members to vote with him. Clauses were added, disqualifying the commissioners from sitting in parliament, requiring all general orders and regulations to be laid before parliament, and limiting the operation of the act, in so far as regarded the commissioners, to five years. The last of these was an addition which Lord Althorp admitted he had made for the purpose of disarming opposition, as he was desirous that the measure should be carried by as large a majority as possible. The small numbers of the minorities even in the committee left no doubt of success,

and although on the third reading (July 1.), an amendment was moved to throw out the bill, it was passed by 187 to 52.

When the bill was brought up to the house of Lords, and read there a first time, on July 2nd, some peers, who did not approve of it as a whole, complained of the late period of the session at which it had been sent to them, and urged the impossibility of considering it with due deliberation, if it was determined that it should be hurried through during the present session. It had been in the Commons since the 17th of April; since Easter, the Lords had been almost unemployed, except with the tedious proceeding about alleged bribery in the borough of Warwick; and now they were to discuss hastily a measure which, in importance and difficulty, yielded to none that had ever been brought before parliament. The house in general, however, was content to proceed, provided sufficient time was given before the second reading. That stage of the bill was fixed for the 8th of July; but, in consequence of the resignation of lord Grey, and the new ministerial arrangements, the second reading did not take place till the 21st, when it was moved by the Lord Chancellor. His lordship, after giving a historical account of the progress of the poor-laws, pointed out the manner in which they had become the sources of so much evil. So long as it was supposed that the statutes secured relief only to the "impotent"—to those who, from disease, age, or worn out faculties of body or mind were unable to provide for themselves, and to no others,—the law, if not advantageous, had not been detrimental;

but the unfortunate words which followed, giving overseers power to set poor people to work, interpreted as these words had been, first to find work for the pauper, and if work could not be obtained, then to provide food, had rendered the provisions of the statutes most pernicious to the poor themselves, no less than to the rich; and all these consequences had been grievously aggravated by the act of 1796, followed by the system of allowances. What had these consequences been? In the first place, in every part of the country, in districts agricultural, manufacturing, and even commercial, there had grown up the constant and almost regular practice of able-bodied men preferring a small pittance from the parish, that they might live in idleness, to a larger sum in the shape of wages for which they would have to work. In more than one or two places, they were found to prefer a pittance of 3s. 6d. to wages much higher in amount, because, they said, it was a certainty, and enabled them to be idle. Instead of being idle, however, they were the greatest workers of mischief in the country, the ready followers, if not the ring-leaders, of every villainy and depredation committed in their neighbourhood. The very boatmen on the Kentish coast, who formerly would have risked their lives, even in the worst weather, for the support of their families, would not now go out in winter; for, said they, we have a right to be supported by the parish. Nay, when persons thus supported by the parish were obliged to work, they complained, and, in some instances, had actually appealed from the overseers to the magistrates, on the ground that they

were compelled to work as much as labourers who received no parish aid. Another consequence had been that, in many places, those who received parish relief, and were employed by the parish, were better off, in point of wages, than the industrious labourer who strove to support himself by his own efforts. It appeared from the report of the commissioners that, in some parts of Sussex, and in the Isle of Wight, 10s. a-week was given to the paupers for working a certain number of hours in the day, while the independent labourer, who worked a much longer time, had only 12s. In the Isle of Wight, 240 pauper labourers struck, because they were obliged to work as long as other labourers for smaller wages, and after having almost resorted to force, they made good their demand. Then came a still worse principle—that which substituted the parish rate for a man's nearest relations. The law of nature ordained that a parent should support his child, and a child his parents; but the poor-laws stepped in, and told them to do no such thing, for it would take that duty upon itself. Such a law denaturalized men, and made them act in a way of which they otherwise would never have dreamed; it made them say, as they had been known to say, "I will expose my children in the streets, unless you relieve them. I will turn my bed-ridden mother out of the house, and lay her down at the overseer's door, unless you order me relief for her." These evils, ruinous in themselves, were all aggravated by the tendency of the system, which produced them, to increase the number of individuals subjected to their influence; for the wit of man could not have devised a more

direct encouragement to improvident marriages than was afforded by the present system of the poor-laws, of which this was, in fact, the corner-stone. The language which the law held to the poor was this:—"Contract marriages if you please, and your children shall be supported at the expense of the parish;" thus tempting the poor man into an imprudent marriage—too probable an event in itself, to require any legislative incentive—instead of inducing him to postpone marriage, till he had the means of supporting a family.

The consequences of all this on the property of the country were as melancholy as any other effects resulting from the poor-laws. He would not say that many farms were deserted, and many parishes given up to waste (though he knew of one or two farms, and of one parish, which were in that condition); but the system was tending to that point, and the fact of one parish being thrown out of cultivation inevitably tended to throw three or four others into waste. Nor was it only our fields that suffered; the character of the people which cultivated them was degraded. Such a system took away all sense of shame; it deprived men of all feelings of personal dignity, self-respect, and independence, and prevented them from seeking, in the honest paths of industry, support for themselves and their families. Formerly it was considered a disgrace, nay, almost something criminal, to be dependent on the poor-rates; but now the peasantry demanded the parish allowance with an erect port and a manly air, or rather they called for it with a sturdy gait, and, he would not say a manly, but a masterful port. They asked

for it as masters; and it was well known that they actually dominated over the parochial officers. By this strange and monstrous system, the pauper was tormented with all the ills—not of poverty, but of riches—all the evils, not of labour, but of pampered idleness—with that hypochondriasis which, in palaces, arose from want of occupation and formed the greatest curse of wealth. The report proved that the pauper spent his time lounging about idle, half asleep during one part, wholly asleep during the remaining part of the day, and sleepless at night in consequence of the idleness of his day. Industry, the greatest preservative against impure passion and wrong deeds, was wanting; and the consequence was, want of chastity, child-murder, and the long catalogue of crimes which deformed our calendars, in spite of all improvements and extension of education.

Such being the results of the system, and such the imperative necessity of arresting their progress, if ruin was to be averted, how was this object to be accomplished? At present there was no possibility of bringing things back to the state in which they were before the act of Elizabeth. The poor-law itself must be taken to be irrevocably the law of the land; but much might be done in the way of amending its administration. Now, in the first place, the separate and opposite jurisdictions of different magistrates, overseers, and benches of justices on appeal, with the want of system and unity in practice which necessarily followed, were at the root of the whole evil. It was, therefore, necessary to have a central, vigorous, and uniform system of ad-

ministration. It was said, that it would be better to leave the administration of affairs as much as possible in the hands of the people; but this principle, however beneficial as the foundation of good legislative measures, and the preventive of bad, was not universally applicable. When a certain leaven of men got into an assembly, and the habit of bad management arose, it was difficult to root it out, and often baffled the general interest. In one instance, where there were charities supported by voluntary contributions, a learned judge, himself a large contributor, proposed that no tradesman, who was a member of the committee of management, should be employed in supplying the institutions; but the proposition was rejected by a great majority of the subscribers to the charity. In another charity it was provided by a formal bye-law, that no man should be employed as a tradesman to the charity, while he was on the committee; but the check was defeated by having a double set of bakers, butchers, and others, who sat on the committee in alternate years, and were employed by turns as they went out of office: yet an alteration of this system was absolutely refused. Did not this show how long a bad system might prevail, even against the interest of the general body, when it contributed to the advantage of certain individuals? If it was thus necessary to establish a central control, it was plain that the individuals, who were to exercise this control, ought to be persons, not members of either house of parliament, not selected for party purposes, and wholly unconnected with the parties that arose in the state. To him it was

farther manifest that the contemplated reform could be effected only by investing the commissioners thus to be appointed with large discretionary powers, nay, he would say, with arbitrary powers. You might commit a serious error in an act of Parliament, without any bad consequences, so long as you vested a discretionary power somewhere to amend it; but if you must wait till you could obtain a new act of parliament to correct the mistake, very serious consequences might arise. The law would require to be applied according to the circumstances of particular places; for instance, the circumstances of a manufacturing parish might be very different from those of an agricultural parish; and diversities would occur between parishes of the same class, whether manufacturing or agricultural, which particulars must be taken into account in the application of the law. Now, as the existing law did not make any difference in these circumstances, but applied one inflexible rule to all parishes, it was clear that discretionary powers must be lodged somewhere. He was aware that these powers might be unconstitutional, but they were not altogether novel. They were novel as conferred upon a central board; but in the first fifty private poor-law acts that were to be found in the statute-book, he would undertake to show that, in one and all of them, there were powers more rigorous, arbitrary, and unconstitutional, conferred upon the commissioners appointed to carry them into effect, than were to be found in this bill appointing a central board. The grand difference between those private poor-law acts and this bill was, that the powers granted un-

der the former were powers conferred upon persons likely to abuse them, chosen in a corner, acting in the dark, never coming before the face of the country, not responsible to the legislature, not removable by the crown, not having to give to any secretary of state an account of their conduct. Could their lordships, who had given such powers to such persons, hesitate to give them to commissioners appointed as these commissioners were to be appointed, acting under all the responsibilities to which they were rendered liable, and no order of whom was to be of any force, until it had continued for forty days under the consideration of government?

The lord chancellor then mentioned the changes introduced by the bill into the law of settlement; insisting largely on the evil consequences to industry and to moral dispositions, and the weakening of the moral tie that ought to exist between master and servant which necessarily flowed from the law, permitting a settlement to be acquired by apprenticeship, or by hiring and service for a year. These modes of acquiring a settlement had, therefore, been abolished; all the others were retained, except that some restrictions had been imposed on the right acquired by the occupancy of a 10 $\frac{1}{2}$. tenement.

The change which the bill proposed to make in the law of bastardy, was, he admitted, a bold measure, but; it was, at the same time, a good one. At present, the law threw it upon the man to avoid the offence, and visited him with penalties if he committed it. The law appeared, also, to leave the woman without any inducement to join in the commission of it; but, in point of fact, it did not leave her

without that inducement. The man found one enemy in the woman's breast to beat a parley in his favour, and that was her passions; and then, when the parley was beaten, he found another enemy ready to recommend a surrender, and that was not her passions, but her calculations. Then came the suggestions,—The law is in my favour,—if it comes to the worst, I can make him marry me; I am not doing that which is wrong in itself, provided marriage follows. Thoughts of a warmer nature followed, and sensations which overpower the woman when her passions are strong, and all that is wanted is a soporific to lull her conscience. The law furnished that soporific by enabling her to look forward to a period when marriage would cover her fault. The proposed change was founded on the same principles on which their lordships were accustomed to legislate every day in cases of applications which came before them in consequence of conjugal infirmities. How often had he heard it argued before their lordships that the husband and the wife ought in such cases to be placed upon a par!—that the wife should have the same right to divorce the husband which the husband now had to divorce the wife, and that the civil law should be introduced into this country for the better protection of female comfort and female honour! “No,” their lordships had answered, and in the propriety of that answer he fully concurred, “we will not trust the keeping of a woman's virtue to herself. To her apply the threats which are to deter from crime—to her apply the menaces which are to prevent her backsliding—If she will not yield

VOL. LXXVI.

of herself, and if you can make it her interest not to yield upon the solicitations of others, the seducer will beat at the door in vain; his object will be frustrated, and yours will be gained.” Let this principle be applied to the law of bastardy; let the woman be deprived of the advantage which she possesses at present; let the disadvantages be placed on her side, and the man will have less chance to seduce her from virtue.

Lord Wynford moved that the bill should be read a second time that day six months, not however on the ground that there was not much in the administration of the poor-laws which required to be corrected, but because he conceived that the remedies proposed by the bill were partly unnecessary, and partly inefficient, while some of them were tyrannical; and because, at all events, there was not sufficient time remaining during the session for discussing so many questions of such deep and complicated importance. In the first place, he opposed *in toto* the scheme of placing all the poor of the country at the mercy of this central board of commissioners. The ground on which it was proposed was, to establish an uniformity of practice in the administration of the poor-laws; but that was impossible, for every parish would be administered according to its particular circumstances, and a central board could not prevent it. How could two out of three chief commissioners, necessary to constitute a board, examine and control the affairs of the 12,000 parishes in England? He had a strong objection to their power of forming unions of parishes, by which the poor of two or more parishes might be sent to the same

[R]

workhouse, and a parish comprising a populous town might be united with a rural district. Was not this mixture of a town population with the comparatively innocent inhabitants of the country likely to be productive of immoral consequences? By the law as it now stood, a power existed of uniting parishes by consent of each; but the people of the country, the rate-payers, acting on that sense of their own interest which was the safest rule to go by in the management of their affairs, did not avail themselves of this power. Yet the commissioners, without considering what might be the interests or the inclinations of parishes, had the arbitrary power of uniting them at their pleasure. They were to have the power, likewise, of appointing and paying men to assist in carrying on the enactments of the bill—the power, in fact, of taking as much money out of the pockets of the people as they pleased. They were to have much greater power than the legislature had ever been willing to intrust to the king, and they were not only to exercise this power themselves, but were even authorized to delegate it to others. There was no statute in existence which conferred any similar powers upon any set of men in this country. They had the power of granting or withholding allowance to the poor—of deciding whether, to get that allowance, the pauper and his family were to go into the workhouse or not—of regulating the mode in which he should be fed, or in what other way he should receive his miserable pittance. Their salaries, too, were not fixed by the House of Commons. These were to be fixed by the crown, by whom the appointments were to be made.

Here were permanent appointments to be made by the executive and the salaries named, which salaries were to be made good by the House of Commons. Carry that principle a little farther, and there would be an end of the constitution of the country. The measure was also unnecessary. If, in the mode of administering the 43rd of Elizabeth, abuses had occurred, and he would not deny that there had, was it necessary that the whole machinery of their administration should be destroyed? The quarter sessions would be quite sufficient to correct any errors or abuses which might have crept in, without the intervention of such machinery as this bill proposed. The abuses had been said to be great, and the reports of the commissioners teemed with statements to that effect; but without meaning any disrespect to the commissioners, he must say, that they were imposed upon, for he firmly believed that few, if any, such cases, existed in the country, as they had thought fit to lay before parliament.—One great objection stated to the present system was, that it allowed the payment of wages in part out of the poor-rates; but whatever might be thought of that system, it was followed only in those cases where it was impossible for a man to obtain wages sufficient for the support of himself and his family; and he conceived that the poor, who were enabled to work, or, who being able, could not find work, had a right to relief. The allowance system would not be checked by this measure, nor did he think that the framers of the bill themselves believed that it would; if they did, what did they mean by

the 49th clause, which gave to the commissioners a discretionary power of granting allowances in certain cases? The fact was, that the rate of wages in the country was, in most instances, too low; and if wages were not raised, if they even continued as they were at present, a peasant, who had a large family, even though in employment, must starve, if he did not receive something beyond the present price of his labour. The abolition of settlement by apprenticeship he considered to be unjust, impolitic, and cruel; and he believed that the existing enactments regarding bastardy would be found to be not less efficient and more impartial than those now proposed. He had seen statements of cases in the report of the commissioners, where women considered it a little fortune to have three or four illegitimate children, from the allowances for whose support they obtained a maintenance. He must believe that in such accounts the commissioners were imposed upon; but supposing the statement to be correct, the 43rd of Elizabeth, if duly enforced, was sufficient to correct the evil; for by that act the allowance was not directed to be given to the mother, but was to go to the parish, to be applied to the support of the child as might be thought proper; so that, in fact, no encouragement was held out by that act to the mother to increase the number of her illegitimate children, if the law were duly administered. He was inclined to think that the greatest inducement held out to the woman on such occasions was, not the hope of the allowance which she might receive, but the promise or prospect of marriage. These

inducements were left untouched by the bill, and would have their full force under its operation, as much as they had at the present moment. Even if the provisions of the bill were less objectionable in themselves than they truly were, the measure ought to be delayed till next session. The House of Commons having been occupied more than two months in discussing this bill in committee, could they expect that the peers could give it an adequate discussion in the short space of a fortnight, which was the longest period of time that they could bestow upon it at this late period of the session? It was a bill of so much importance, that, if justice were done to it, the house would be able to attend to no other subject during the remainder of the session. By postponing it till next session, there would be time to circulate it among the magistrates, country gentlemen, and others, who took an interest in the administration of the poor-laws; and it might still come into operation quite as soon as it would do, if passed now.

The earl of Winchelsea, the duke of Richmond, and duke of Wellington supported the motion for the second reading, though they did not approve of all the various provisions in the bill. The duke of Wellington was satisfied that, if it was proper to pass the bill, there was ample time during the present session to carry it regularly through all its stages, and it was the duty of their lordships, without any further delay, to proceed with a measure which, if necessary at all, was necessary now. He disapproved highly of a system of administration which differed in each and every of the

12,000 parishes in this country, and in each of which different and varied abuses had crept in. He maintained that it was impossible for Parliament to frame any law that could by possibility remedy the abuses which prevailed at the present moment—abuses which were as varied in their character as they were numerous. Hence it became absolutely necessary that a central board of commissioners should be appointed, with powers to control the whole of the parishes in the land, and to adopt such remedies as would secure a sane administration of the poor laws throughout the country. The subject had been under the consideration of every administration that he had known; but no plan had ever been suggested, or scheme proposed, to remove and remedy the evils of the existing laws, which in his judgment at all equalled the present. The bill before the house was unquestionably the best which had ever been devised. At the same time, he must observe, that as the central board of commissioners was to have very extraordinary and full powers, it would be necessary that they should keep such a record of their proceedings as should render them liable at all times to the actual control of the government and parliament of the country; and he doubted much whether the provisions of this bill gave such a control to the government, as would at all times afford a full knowledge to the parliament of the course pursued by the commissioners. He entirely approved of the removal of the allowance system, one of the greatest evils arising from the existing poor-laws; but he was of opinion that it ought to have been gradually and slowly destroy-

ed, and without a fixed day for its termination being specified in the bill. He would recommend that this clause should be left out, and that power should be given to the commissioners to carry gradually into effect such alterations in this respect, as to them might seem meet.

The duke of Richmond trusted government would take care that the system was introduced gradually, and according to the results of practical experience. He knew many parishes in the country where, if they attempted to carry the regulations of the board into effect, a rebellion might be the consequence, or something a great deal worse than the state of things in 1830. He could not avoid looking at the bill with considerable alarm; and he voted for it, because he found no better scheme proposed, and he was not prepared to propose one himself. Some of the powers given by it were to be viewed with much jealousy and suspicion. He trusted that regulations would be introduced to control the powers of the commissioners, or that at all events the secretary of state for the home department would watch the exercise of those powers with a jealous eye.

Lord Alvanley, again, followed the views of lord Wynford. He could not agree to the introduction of this system which had no English name; the French system of centralization was inconsistent with the genius, and incompatible with the prosperity, of the country. How had it happened that this country, in spite of every disadvantage, carried on a commerce a thousand-fold greater than any other nation in the world, and enjoyed unexampled wealth and prosperity? How was it that this country had been able to retain the possession

of colonies larger in extent than the Roman Empire, in defiance of the whole civilized world, which during the last war was opposed to her? The reason was, because the government of this country had hitherto judiciously permitted every man to develop his talent in the manner he liked best. The country was intersected by canals and roads, covered with public works, and adorned by magnificent edifices. This would never have been the case, if every man who wished to make a road, or construct a bridge, had been obliged to submit his plan to a central board *des ponts et Chaussées*? Besides, he was perfectly convinced that the poor-laws, as they stood at present, would, if properly administered, remove all the evils respecting which so much had been heard, and which were, in truth, the effects only of the mal-administration of these laws. He would prove this by a reference to three parishes. The first was Bingham. The poor rates of this parish amounted, in 1817, to 1,206*l.* on a rental of 7,498*l.*, and the number of paupers, to 221; but, by the measures adopted by the clergyman attached to the parish, a great improvement was effected in its condition. The first thing he did was to refuse relief to persons out of the workhouse, and the consequence of obliging all labourers who sought relief to go into the workhouse was to diminish the number of the applicants. The next step which he took was one which, on the first blush, had the appearance of harshness; he compelled the occupiers of small cottages to contribute to the poor-rates, however trifling their payment might be. The effect produced by this measure he would state in

the clergyman's own words;—"Where this has been done," said the rev. gentleman, "the tenants of cottages are more clamorous against those who receive relief than the rich." The result was, that in 1832, the poor rates were reduced from 1,206*l.*, their amount in 1817, to 449*l.* In two other parishes, where similar means had been adopted, the same effect had been produced. In one, the parish of Southwell, the poor-rates in 1813, amounted to 1,381*l.*, on a rental of 10,642*l.*, and in 1832, they were reduced to 417*l.*; and in the other, Uley, the poor-rates in 1830, amounted to 3,185*l.*, and in 1830, to only 800*l.* These facts afforded a sufficient proof that the present bill was unnecessary.

The division on the amendment gave seventy-six peers for the second reading, and only thirteen against it. Lord Teynham repeated the amendment on the motion for going into committee (July 24), but it was negatived without a division.

In the committee, the question of the appointment of commissioners was again discussed, but without any amendment being moved. Lord Alvanley proposed that the bill should be dropped; and that the report of the commissioners regarding the parishes, to which he had referred on the second reading, should be sent to every parish and district. It would be accompanied by a circular from the home office, calling the attention of the authorities and overseers to the plan which had been so successfully adopted in the parishes in question, and stating that it was the intention of the government early next session to bring in a bill founded upon, and to carry into effect, that plan. The circular should, also,

request communications to be made to the government by the parochial authorities themselves, as to the practicability, in their several districts, of the system proposed to be adopted. This being done, he would next year introduce a bill, taking for its preamble the fiftieth clause of the present measure, and which should come into operation on a certain day, to be extended on the authority of three magistrates sitting in petty sessions. He would also empower magistrates in petty sessions to appoint nine persons of their own district,—not to wield the inquisitorial powers conferred on the proposed central board of commissioners, but to receive reports of the progress of the measure from the different parishes within their district, and to communicate those reports, matters of complaint, and the various details now to be vested in the hands of the commissioners. He felt satisfied that this system would be much more congenial to the feelings of the country and of the people than the proposed plan of centralization.

Lord Wynford said, that if one uniform rule of administering the poor-laws could be adopted, he should have approved of a central board of commissioners to enforce it; but the lord chancellor himself had admitted that such a mode of administration could not be enforced, for he distinctly expressed his conviction that what might be a good method of proceeding in one parish might be bad in another, which happened to be differently circumstanced. What, then, was the advantage of having a central board, if a uniform system could not be adopted? On the showing of the proposer of the bill, it was necessary to intrust the administration

of the law to persons having local knowledge of the circumstances of each particular parish. Now the magistrates possessed this local knowledge, which it was impossible that the commissioners should have. He was sensible of the evils of the poor-laws and of the defects of their administration; but although sensible of the evil, he did not think this bill the remedy which ought to be adopted. On the contrary, he was satisfied that to take the administration of the poor-laws out of the hands of the local authorities would be adding to the evil.

The lord chancellor, earl of Winchilsea, and duke of Wellington contended for the necessity of this central board. The object of it was to bring things back to their former state; to put them in the right track; to do all that those acquainted with the subject knew it would do; to lop off excrescences; do away with abuses; bring back things to their pristine state; and reform the system according to the original meaning and construction of the act on which it was founded. To do all this required a vigorous hand, and that vigour could be exercised only by vesting a discretionary power in a few persons. These commissioners, it should be remembered, would be appointed only for a limited time; and, when that time expired, the administration of the poor-laws might be returned to those in whose hands it was now vested, with the benefit of the experience of the improved system to guide them in their future management. Those who spoke of the administration of the poor-laws by the magistrates forgot that it was not the magistrates, but the overseers, who

administered them. It was true, the magistrates had interfered with the overseers; and one of the objects of the bill was to bring the law back from the hands of the magistrates, and replace it in those of the overseers, according to the old system, and the change would be effected by different modes, according to the circumstances of each parish. The duke of Wellington said, he lived in the neighbourhood of places which had been held out as an example of good management—he referred to the parishes of Cookham and Swallowfield, which were said to be depauperized, and he could tell his noble friend that the example had not been followed by any of the neighbouring parishes. Why? Because the magistrates could only interfere for harm, not for good, and the overseers would not follow the example thus set them. There was nothing for it but a measure of this kind, to bring the administration of the law back to the old system, and when that should be effected, no one would be more happy to see the plan abandoned than himself. The only alteration made in the clauses regarding the commissioners and their powers was an addition proposed by the duke of Wellington to the effect that they should be bound “to keep a record of each letter received, the date of its reception, the person from whom it came, the subject to which it related, and the minute of any answer given to it, or made thereon, and also, where the commissioners differed, of the opinion of each commissioner, and that a copy of such record be transmitted to the secretary of state once a-year or oftener if required.”

Although the original clauses regarding bastardy had been miti-

gated in the house of Commons, they still encountered opposition in the peers.—The bishop of Exeter moved (July 28) to substitute for the leading enactment, the following provision:—“That the father and mother of an illegitimate child, or the survivor of them, shall be required to support such child, and that no parish shall be bound to support such child, whilst either parent is able to do so, and that all relief occasioned by the wants of such child shall be considered as relief afforded to the father and mother or the survivor of them.” Although the provisions of the bill on this subject were founded on the recommendations of the commissioners, he did not hold that this was sufficient authority for so bold a change. He could not help thinking that the report bore traces of an *animus* not favourable to its weight. In the report, the fathers of bastard children were spoken of as “unfortunate” persons. “He was an unfortunate young man” who was brought before the justices for this offence; but whenever the mother was spoken of, allusion was certain to be made to her “vice.” You did not meet with this form of expression in a solitary instance only; on the contrary, it pervaded the whole report. The language of the report was, “The female is the most to blame.”—“continued illicit intercourse originated with the female.” He confessed that he must require much better authority than any which he had seen in that report, to believe such an assertion. A learned gentleman, who had drawn up one of the most considerable reports, had spoken thus of female chastity—“It may almost be affirmed that the virtue of female chastity does not exist

among the lower orders of England, except to a certain extent among domestic female servants, who know that they hold their situations by that tenure, and are more prudent in consequence. Among the residue all evidence goes to prove that it is a nonentity." This was a grave and serious statement of the condition of morals in this country. No wonder that the commissioners, entertaining such an opinion of the state of female chastity, had proposed for the females of England, a code of law not to be paralleled by any other country. They proposed the abolition of all the existing bastardy-laws as being things which no man could esteem to be wise or good arrangements. "What we propose in their room," said they, "is intended to restore things, as far as possible, to the state in which they would have been, if no such laws had ever existed; to trust to those checks, and to those checks only, which Providence has imposed on licentiousness, under the conviction that all attempts of the legislature to increase their force, or to substitute for them artificial sanctions, have tended only to weaken or pervert them." The commissioners proposed then to trust to those "checks which Providence has placed upon licentiousness." He was inclined to do the same; but his notion of the checks, which Providence had placed on licentiousness, did not agree with the notions of the commissioners. Those checks appeared to him to be three. The first and the most powerful check was the sinfulness of the act. The second was also very powerful; it was the apprehension of the responsibility of becoming a parent in consequence of the commission of it. That was

admitted on all hands to be a strong preventive check, for it was that very check on which Mr. Malthus based the whole of "his philosophy." The third check was the fear of becoming exposed to those restraints, sanctioned by the law, which were said, in the sentence which he had just read to them, to negative the restraints of Providence. That sentence he understood to mean this—that the commissioners were of opinion that the attempts of the legislature to check the growth of bastardy interfered with the restraints of Providence. Now he thought that those restraints of the law were the restraints of Providence; that all human laws ought to be such as carried with them the sanction of Providence, and ought, therefore, to be considered as the ordinances of God. The commissioners next proceeded to say—"In the natural state of things a child, until emancipated, depends on its parents." Let the house mark the phrase "on its parents;" not on one parent, but on both. Why, then, was this not the case with illegitimate as well as with legitimate children? "Because," according to the commissioners, "only one of the parents of an illegitimate child can be ascertained." Indeed! then this bill performed an impossibility; for it ascertained who was its parent, whenever the parish was the party concerned, though it would do nothing for it so long as the unhappy mother only was that party. The commissioners, "as a further step towards the natural state of things, recommended that the mother of an illegitimate child should be required to support it, and that any relief occasioned by the wants of the child be considered relief afforded to the

parent." Now, he would adopt the language of the commissioners, and would carry it one step further. He would say, that the father and mother of an illegitimate child, when ascertained, should both be required to support it. This was its right from the instant it drew breath; and it was impossible to imagine any process of sound thinking by which it could be made, that the duty of providing for the infant was less incumbent on the father than on the mother, or that it could even be reconciled with justice, that the former should escape, while all the burden was thrown upon the latter.

If this was the result at which justice arrived, the case against the bill was established, and the defence of its principles must rest on some ground of expediency. They might be told, that it was for the good of the female sex, that the law should press hard on the woman who became a mother before she became a wife. He could not consent to such an argument, for he was not one of those who would do evil that good might follow. If the case rested here, he should contend that their lordships would do wrong, if they passed the present law. But it appeared from the report of the commissioners themselves that the present bastardy laws, if wisely administered, would get rid of all the evils which were now complained of. "In Swallowfield, Berks," said one of the magistrates, "we adopted a few years ago the practice of paying to the mother as much only of the allowance from the father as was absolutely necessary for the immediate support of the child. The effect upon the mother was precisely what he had expected, and desired it to

be." Why, this was only saying, that in Berkshire a wise administration of the existing law had stopped the increase of bastardy. But the commissioners went on:—

"If we could have persevered in the practice, we have no doubt it would have been productive of very salutary consequences; but a question having arisen as to its legality, we were compelled reluctantly to abandon it." What was the objection taken to the legality of the practice? That the parish had taken from the father a larger sum than that which was necessary to support the child, and that that sum had not been paid over to the child, for whose use it was intended. That was clearly illegal and wrong.

"In Cookham, Berkshire," the commissioners added, "the same plan was adopted and persevered in." The result has been, that in a population of 3,337, but one bastard has been christened during each of the last five years; and yet, in 1822, there were twenty-six bastards born in the same parish." With this evidence before them, of a parish in which only five bastards had been christened during the last five years, though there must have been 1,700 females residing within it, the commissioners dared to say that female chastity was a nonentity in England. In Bingham, in Nottinghamshire, the population was about 1,700; the same consequences had resulted from the same cause:—

"In 1818, Mr. Lowe introduced a change, marked by the wisdom which characterises his other proceedings. For the seven years ending 1818, the average annual number of bastard births in Bingham was six; and the average annual number of marriages was thirteen

and two-thirds. For the seven years ending 1824, the average annual number of bastard births was under two, and that of marriages ten. The overseer's account is as follows :—" Twelve years ago we introduced this custom : when a woman came, saying, she was with child, she was taken before the magistrates in the usual way ; the sessions made the order on the father in the usual way. Then we told her she must get the money from the father herself, as we should never trouble him ; and that if she became chargeable to us, we should send her to the House of Correction, and all women are invariably so sent. Before this we used to have five or six bastards born every year ; now we have under two. These are still sworn and affiliated in the usual way ; there is no change in that respect ; but if the mother applies for relief, we enforce the law, and send her to prison. So the mothers now never think of applying to the parish, but arrange with the fathers as well as they can, and maintain the children as well as they can. There are no bastards on the parish books now but one ; and this is a particular case, where the mother was ill-treated by the father." Thus it was possible to reduce the amount of an evil, on which it was not incumbent upon them to legislate against justice, in regard to a sex against whom all hostility ought to be mitigated by a recollection that they could have no representatives in parliament, except that other sex, whose duties and obligations towards them were the very matters in question.

The Bishop of London, who had himself been one of the commissioners, answered his brother of Exeter. He admitted that the

censure passed on the female chastity of the lower orders by one of the assistant-commissioners, was very strongly worded ; but that gentleman had a style of warmth and precipitancy which often led him to form conclusions stronger than his premises warranted. Moreover, the evidence given before the commissioners went a long way to confirm the correctness of the opinion given by the sub-commissioner referred to. The only fact, which had been alleged against it, was, that, in the well-managed parish of Cookham, which was under the superintendence of one of the best magistrates in the county, there had been only five bastards in the last five years, whereas, judging from the number in 1826, there ought to have been 130 in the same period. Now, that sort of evidence was not at all conclusive on the point, as would appear from a very short passage in one of the reports respecting the parish of Cranley. Its population was about 1,350, and the average number of bastards did not exceed one in each year ; " for the man marries the woman as soon as she is with child, in the expectation of being better off. The order is generally 2s. on the father, and nothing on the mother." Another gentleman stated to Mr. Walcot, that, " in forty-nine out of every fifty marriages that he had been called on to perform in his parish amongst the lower orders, the female was either with child or had had one, and many affirmed this of nineteen out of twenty cases." If it were not from a deep sense of what he owed to his brother commissioners, the country, and himself, he would not admit the sadly deteriorated state of morals in England. " Bas-

tardy," says Mr. Villiers, "leads to marriage." At Bulkington, in Warwickshire, Mr. Warner stated, that he had lately questioned the clergyman of the parish as to the proportion of pregnant women among the poor whom he married, and his reply was, "not less than nineteen out of every twenty." At Nuneaton, the solicitor to the parish, Mr. Greenaway, stated—"that his house looked into the church; that he was in the habit purposely of watching the persons resorting to the church for marriage, and that he could confidently say that seventeen, out of every twenty of the female poor who went there to be married, were far advanced in pregnancy." It was a desire to obviate the mischievous effects, to which such a system must necessarily give rise, which had induced the commissioners to submit to the legislature this preventive check to incontinency. Whatever amelioration had taken place in solitary instances had been produced by the zeal, talents, energy, determination, and interference of individuals, whose cessation from continued exertions, by sickness or other causes, would throw the whole plan into pieces. They, therefore, furnished no argument in favour of a system, from which they were only accidental and temporary exceptions. But, it was asked, why should the mother of an illegitimate child be punished, while the father was suffered to escape? This was a question upon which he felt unwilling to enter, as to solve it would involve an abstract discussion upon speculative points. The mother must (unless human laws interfered) necessarily suffer more than the father. Such had been the principle upon which legislation in this respect had ever

gone. Such was the statute which punished the mother as a lewd woman, while the father was only mulcted in a provision for the child, not as a punishment, but for the protection of the parish, which otherwise would be liable to the support of the illegitimate offspring. He must, however, deny that the question of punishment formed any element in the consideration of the subject before the house. Prevention, and not punishment, was the object, and ought to be the object, of the present measure; and he was satisfied that prevention of the offence in question would be the result of the adoption of the recommendation which the commissioners had made to the legislature. There was most abundant testimony to prove, that, where something approaching to the system proposed had been acted upon with spirit, the number of bastard children had decreased. The same principle had been acted upon for a much longer period, and with equal success, in the United States of America, as appeared from the report of the commissioners themselves. "In Boston, Baltimore, and Salem, the principle has long been acted upon, namely—that the public will not undertake to bring up illegitimate children without expense to the mother. The consequence is, that in 1826 but ten cases came under the notice of the public officers at Boston, and but two at Salem, while in Baltimore the public was put to no expense whatever in respect to them. In the same year, in Philadelphia, where no such system prevails, the number of bastards under the care of the guardians of the poor was 272." If further evidence was sought for in support of the plan,

it was to be found in the practical regulations of the labouring classes themselves. Mr. Tidd Pratt had been asked, "What was the course adopted by the labouring classes in their friendly societies with regard to illegitimate children. He answered, "In female societies, which are numerous and increasing, they utterly deprive the parties of relief, and expel them. In male societies they allow no benefit on the birth of a child, unless such child is born in wedlock. In those societies which allow an annuity or other payment to a widow on the death of a member, such benefit is forfeited by her having lived apart from her husband during his lifetime, or having had an illegitimate child after his death." Mr. Pratt had also been asked, "Then, in all cases they utterly disallow relief to a woman who has had a bastard child?" His reply was, "Yes, both male and female societies." It was the same principle which the labouring classes had adopted for themselves, which was now recommended by the commissioners for the sanction of the legislature; and he conceived the approximation of the poor-laws to that principle would be a lasting benefit to the whole community. He admitted that, if, in all cases, it were possible to fix upon one man as the putative father, it might be well to impose upon him the pecuniary punishment of making some provision for the maintenance of his illegitimate offspring; but this was not the case, for sometimes three or four men were attempted to be fixed. Such was the result of the present state of the law; for if once a woman ceased to blush for her own shame, she would not hesitate to fix upon any man the brand of infamy, inasmuch as,

by making a selection, she could reap a rich harvest to be applied to the maintenance of herself and child. Under the proposed alterations of the law there might arise cases of individual hardship; but, on the whole, he conscientiously believed that it would be of unspeakable benefit to the community.

The earl of Falmouth was against the clause, and deprecated the idea of laying the charge upon the female; for he was satisfied that in nine cases out of ten the seducer was the real offender. The bill, it was true, provided, that where the mother could not support the child, recourse might be had to the putative father; but in the rural districts the provisions of the bill would defeat its object: for the father, being an agricultural labourer, would contrive to reach another district, far out of the reach of the parish authorities, long before the birth; and the security to the parish was entirely lost by the repeal of the power to summon the putative father during the pregnancy of the woman.

Lord Wynford said that the law on this subject had been misrepresented, because it had been misunderstood. It had been assumed that, by law, the payments were to be made to the mother, and that her profligacy was only increased by such payments made to her use. Such, however, was not the law; and it was desirable that magistrates, who had the laws to administer, should be informed of the fact, that these payments to the mother herself were contrary to the law as it at present stood. The payments were designed by the statute of Elizabeth to go solely to the indemnification of the parish from the charge of the main-

tenance of the child. The alteration now contemplated, so far from decreasing the number of illegitimate children, would have only this effect, that the father, knowing himself to be free from responsibility or punishment, would redouble his exertions in effecting seduction; and hence an increase in the list of illegitimates would ensue. Great as was the crime of incontinency, that of infanticide was a much more serious offence; and could any noble lord be satisfied, on consideration, that the enactment of such a clause as that now under discussion would not tend greatly to the increase of that most serious offence?

The earl of Radnor was of opinion that the power of summoning the putative father during pregnancy ought to be abolished, even if it produced no other mischief than the exposure of the female. Was it nothing to oblige an unhappy girl of eighteen or nineteen years of age, the victim of seduction, to come before a bench of magistrates to swear to the father of her child? This practice must necessarily lead to the loss of that sense of shame, which ought to be inherent in the female character; and the exposure precluded the chance of such a female retrieving her character and self-esteem, which would be afforded to her, if she could, through the instrumentality of her friends, hide her shame, and give birth in secret to her child. His experience, too, as a magistrate, had taught him that the present state of the laws of bastardy, as now administered, produced a mass of perjury, which it was truly frightful to contemplate. In support of the proposed

plan he would mention that, in the parish of St. George, Hanover-square, there were, about two months ago, 126 or 127 bastard children. The parochial officers determined to prepare a house for the reception of these children into their own care and control, and to refuse relief to the mothers. After this determination was promulgated, out of 127 cases, only eight applied for relief. This showed most clearly, that if it was compulsory upon them, the mothers would contrive to provide for their illegitimate children.

The Lord Chancellor begged the house to bear in mind, that the question before them was strictly one of expediency. It was not the object of this bill to do honour to female virtue; it was not its object, as had been assumed, to make women chaste and men continent; its primary intent was directed to other objects. But he was prepared to demonstrate, that, if the bill had been constructed with a view to protect female virtue, and not to amend the poor-laws,—to make man more continent, and not to diminish parochial burdens,—it could not have been better framed for the accomplishment of these objects. The introduction of a principle which went to punish the female who gave birth to an illegitimate child, and not the father, had been objected to; but such was the uniform course of legislation; such was the law of the land already; such was the principle on which all moralists had proceeded, and on which also parliament proceeded everyday in the year; and such was the principle upon which the laws of society at present stood. It was no novelty; for in 1830, a gentleman, examined before a com-

mittee of that house on the poor-laws, had stated his opinion that, "we shall never be able to check the birth of bastard children by throwing the onus upon the man; and I feel strongly convinced that, until the law of the country is assimilated to the law of nature, and to the law of every other country, by throwing the onus more upon the female, the getting of bastard children will never be checked." And what said the law? Ever since the time of James I., bastardy had been regarded and punished as a crime in the woman, who was liable to be sent to prison or the house of correction, while the man was suffered to escape. Yet this very principle was no more than that which the commissioners had laid down, and which had been designated by those, who had assailed and attacked them, as unmanly, detestable, and abhorrent to every principle of humanity. Common sense, indeed, dictated that want of chastity was a much more grievous offence in woman than in man, and those who thought otherwise could have considered the subject only very superficially. Nay, any individual, who pretended to doubt it, was guilty of the grossest hypocrisy—for, would any man hesitate to say, that if he saw his daughter in a house of ill-fame, he would hold her in a very different light than that in which he would regard his son, if he discovered him in the same situation? The laws of society took precisely the same view of the subject: a virtuous woman was regarded as the bond of society, and when she once lost her virtue, "a pearl of great price," adieu to all decorum and decency in society; and if female

chastity was once at a discount, not merely were the bonds of society loosened, but actually burst asunder. With the woman the decision of the question rested. Without her consent the consent of the man was useless, and the law of the land decided that the great part of the blame rested with her. But there was another question. Was the putative father always the real father? Was the man, who was compelled to maintain the child, the person who, either by the laws of nature or common justice, ought to provide for its support? Every one knew the contrary. Why was not something like this the common practice? The paramour of a young woman, after seducing her, persuades her to palm the child on another man, or, after corrupting her chastity and destroying her honesty, he devises means to make her the wife of another, and aggravates his crime by committing adultery. The general practice was, for the woman to choose the wealthier man, and swear the child to him, whether he was the father or not. There was perjury on the part of the woman, dishonesty on the part of the man; and these combined led to the greatest injustice and oppression. The present law encouraged, and fostered a crime only second to murder—the detestable crime of wilful and corrupt perjury.

In replying, the bishop of Exeter reminded the house of what the effect of this clause upon the mother would truly be. Being unable to support her child, she would immediately be consigned to the poor-house. What was to become of her then? To marry was out of the question; for few men would be found to marry a

woman, with the knowledge, that the burthen of supporting her illegitimate offspring would be thrown on him. In such a case, then, the workhouse was like the *inferno* of Dante, and might very properly have inscribed over it the words — "Whoever enters here leaves hope behind." When once an unfortunate woman entered the workhouse, there she would be obliged to remain; and was it to be supposed, when all hope of bettering her condition had left her, that she would live chaste and continent. That was a singular sort of merciful rigour, the application of which was confined exclusively to the female, the vicious and profligate seducer being allowed to go unpunished. Was it wise to pass a law, telling the habitual seducer that no check was to be placed on the indulgence of his vicious appetite, so far as his purse was concerned, as long as the unfortunate victim of his seduction was able by her own labour, no matter how severe or exhausting, to support the common offspring of their common sin? Believing this clause to be founded on principles of the foulest injustice, he did not think he should be discharging his duty, if he did not persist in his amendment.

The amendment had only thirty-four votes in its favour; while thirty-eight peers voted against it. But the clause itself, being that which the House of Commons, on the motion of Mr. Miles, had substituted for the original clause, was likewise rejected. On the third reading, the bishop of Exeter again brought the question before the house, by moving the omission of the clause which provided, that any person, marry-

ing a woman, who had an illegitimate child or children by another man, should be liable to maintain them. Such a provision was a necessary consequence of once holding, that women produced bastards, in order that the parish allowances might be a dowry to entice a husband; but it involved likewise the principle, that the real father should escape. On both sides all the arguments already detailed, were repeated; but the minority had greatly increased; for the clause in question was retained by a majority of only eleven, there being eighty-two peers for it, and seventy-one against it. Instead, again, of the clause which Mr. Miles had carried in the House of Commons, clauses were introduced, on the motion of the duke of Wellington, enacting, that the putative father of any bastard child, so soon as such child became chargeable to the parish by the mother's inability to maintain it, should be liable to reimburse to the parish the expenses of its maintenance, until it attained the age of seven years, on his paternity being proved before the quarter sessions, but not without the testimony of the woman being corroborated by other evidence; that, when a woman had had one bastard child, she should obtain no order in any subsequent case; that an order should be operative only till the child attained the age of seven years; that sums to be recovered from the putative father should be recoverable only by attachment or distress; and that he should not, in any case, be liable to imprisonment for costs.

Several other amendments were likewise made. The provision abolishing settlement by appren-

ticeship was struck out, except in the case of sea apprentices; and the age, at which a child should be held to be able to provide for itself, was fixed at sixteen, instead of twelve years. The prohibition, likewise against out-door relief, was mitigated by authority being given to two justices to order out-door relief to persons certified by one of the justices to be, of his own knowledge, totally incapable of work. This power, however, was conferred only in the case of unions of parishes, and did not extend to separate parishes. The clause abolishing the allowance-system, and prohibiting, after the first of June, 1835, payments to those who were wholly or partially in the employment of any person, was struck out, and a provision introduced in lieu of it, leaving it to the overseers, or guardians of the poor, to make any statement to the central board of the special circumstances which might seem to them to render such relief expedient in any particular case. The cumulative vote, which the commons had given to proprietors, but refused to occupants, was extended to the latter, but not in the same degree; a rate-payer, under 200*l.*, was to have one vote; between 200*l.* and 400*l.*, two votes; of 400*l.* and upwards, three votes.

In the House of Commons, a clause had been inserted, by which it was enacted, that no rule or regulation of the commissioners, nor any by-laws at present in force, should oblige any inmate of any workhouse to attend divine service in any mode contrary to his religious principles; nor should any such rule, &c., authorize the education of any child in such workhouse in any religious creed,

other than that professed by his surviving parent, if such parent object; or if such child were an orphan, in any religious creed to which the godfather or godmother might object; and, that it should be lawful for any licensed minister of religion at all times to visit the workhouse at the desire of any inmate of such workhouse of his religion, for the purpose of giving him or his children religious instruction. This clause the lords expunged. With these, and some other less important alterations, the bill passed on the 8th of August, the third reading having been carried by forty-five to fifteen.

On the 11th of August, when lord Althorp moved the commons to agree to the lords' amendments,—an amendment was moved, that the amendments should be read a second time that day six months. This proposal was chiefly supported by those who were opposed to the bill altogether, or who wished it should at least be delayed till next session; but lord Althorp told them that, if the bill did not pass this session, he would be a bold man who would try it the next. The amendment was negatived by a large majority, and all the amendments were agreed to with the exception of the omission of the clause which provided for the instruction of pauper children in the religious creed of his surviving parent, or god-parent, and entitled dissenting clergymen to visit workhouses at all times, for the purpose of religious instruction, at the desire of any pauper of the same sect. It was moved, that this amendment should be rejected. Without the clause in question, it was said, the inmates of workhouses would be forced to

attend divine worship though even against their own creed and that of their children might against their consent, be reared up in a form of worship to which they could not conscientiously adhere. This was a violation of the principle of religious liberty. It was an insult to that small portion of good feeling towards the Dissenters which existed in that house. It was degrading towards the dissenting minister to deny him the right which had been created under the bill in its original form. Lord Althorp did not think, that those, who opposed the amendment, had really any thing to contend for. He viewed the restoration of the clause in question as unnecessary; for, as the law stood at present, dissenting clergymen had a right to enter all workhouses. The only mode in which dissenting clergymen could be excluded, would be by a rule or order of the central commissioners. Now, as such order must be approved by the Secretary of State, and afterwards by the House of Commons, was it likely, that any such order would ever be made? After the discussion which had just taken place, it was quite evident, that an order would be made by the commissioners to admit clergymen of all denominations into the workhouses. He contended, that there was nothing objectionable in this amendment, and therefore he trusted, that the house would agree to it; but if it should be the opinion of the house that the clause should be re-inserted, he certainly would make no objection to it. As this yielding disposition of the ministers implied, that they had reason to believe the lords would not insist on the omission of the clause

(for otherwise the bill would have been lost), the house voted not to agree to the amendment. This determination having been communicated to the peers in a conference, the lord chancellor said, that, in his opinion, the clause restored was most superfluous; and if it were not for the respect he had for the House of Commons, he would say it was most absurd. He could not conceive why the House of Commons should deem it necessary to bind down in one instance the discretion of the overseers and the commissioners, to the latter of whom, in other cases, they gave such extensive powers, and not observe the like caution in other instances. For his own part, he should be one of the first to reprehend the exclusion of sectarian teachers from the workhouses, but he really could not conceive the probability of any one of them being refused admission on all proper occasions. It was the very last error into which the overseers and commissioners were likely to fall. As matters stood, it appeared to him that there were three courses, any one of which their lordships might pursue. First, they might reject the amendments of the Commons; but the bill was too important for him to advise the adoption of this course. Secondly, they might hold a free conference with the Commons, in which the matter might be argued at length; but neither did he think this mode of proceeding expedient. Thirdly, they might agree to the amendment for the sake of securing the body of the bill for the present, and record their protests, if they so pleased, against this amendment. He considered that the words "at all times" were very improperly introduced into the clause, and, in

fact, the whole clause was so badly framed, that it would rather have the tendency to exclude the Methodist teachers than the contrary; albeit, the clause was intended for the benefit of Dissenters. He was certain it would give no satisfaction in the country, and he knew, from the legal advisers of the measure, that nothing ever would be gained by it. Four months, he was afraid, would not pass by, before it would be necessary to bring in another bill to amend the present and provide for peculiar cases which they could not at present anticipate, and with which they had not accordingly the means of dealing. The matter, on which they were now speaking, might be then set right, and he apprehended that no mischief could possibly occur in the interim. The amendment of the Commons, restoring the clause which had been expunged, was accordingly agreed to.

If this great change in the poor-laws accomplished its professed purpose of improving the condition of the labourer, it would necessarily be beneficial to the landowners in a pecuniary point of view, by diminishing the burdens to which they were liable. The agriculturists, however, longed after means of relief of more immediate, direct, and certain operation. In the speech from the throne at the commencement of the session, the king had said, "I have to lament the continuance of distress among the proprietors and occupiers of land; though, in other respects, the state of the country, both as regards its internal tranquillity and its commerce and manufactures, affords the most encouraging prospects of progressive improvement." On the 21st of Fe-

bruary, the Marquis of Chandos brought before the house of Commons the subject of the distress which was thus admitted to exist, and the means by which it might be relieved. He described it as a distress which was not local in its character; for, though its pressure was unequal in different places, it was felt every where, less or more. It had existed so far back as 1821, in which year its nature and extent had been established before a committee; no relief had followed; and since that time it had not diminished. Last session, another committee had been appointed, of which one of the ministers was chairman, (Sir J. Graham). The report of that committee showed that the returns of capital employed in farming were considerably below the ordinary rate of profit, and had been so since 1821. The former committee had expressed a hope that the farmers possessed, either in the savings of more prosperous times, or in credit, resources which would enable them to surmount their difficulties; the last committee reported, "that the difficulties alone remained unchanged. The savings are either gone, or greatly diminished, credit failing, and the resources generally exhausted." There were, no doubt, many farmers of opulence, who, though their capital was diminished by the general pressure, had other resources; but this was not the case with the great body of the agriculturists. The distress, which they felt, had been occasioned by the burdens which they had to bear, both local and general. Though a horse, used for agricultural purposes, was free of duty, yet the moment a saddle was put on its back, to carry its owner to market, it was taxed as a saddle-

horse. In the same way, the labourer taken from the tail of the plough, and employed in any domestic duty, was liable to be taxed as a domestic servant. The farmer had likewise to pay the malt-tax, besides a variety of local imposts which did not affect the other classes of society. Such had been the increase of the local burdens laid upon the farmer, that, in a parish, where the rates, from 1787 to 1792 were 780*l.* a year; there had been paid in the years from 1829 to 1832, 3,667*l.* in another, the rates had increased within the same period, from 2,500*l.* to 7,139*l.*; in a third, from 2,155*l.* to 6,297*l.*; and in a fourth, to 9,777*l.* from 2,851*l.*, which had been their amount in the years, from 1814 to 1819. While these burdens carried on the evil in one direction, the low prices extended it in another. The English farmer, in order to compete with the Dutch farmer, had been compelled to reduce the price of butter from 1*s.* 6*d.* and 1*s.* 7*d.* to 1*s.* 1*d.* and 1*s.* 2*d.* In the price of meat there had been an equally great reduction. Wheat was so low as 6*s.* 6*d.* the bushel; barley, 4*s.*, and beans about the same. These, instead of being monopoly prices, were lower than they ought to be. Labour, again, which had formerly been paid with 4*s.* 6*d.* a week, now cost 9*s.* and 10*s.* In order to show that, in some places, not only were returns below the ordinary rate of profit, but that the produce did not equal the outgoings, and that, therefore, the farmer must be living on his capital, he would mention the case of a respectable farmer in Somersetshire, who had a farm in the vale of Taunton, for which he paid 40*s.* an acre. It was a first-rate farm. The outgoings were 587*l.*,

and the produce was 584*l.* In another case—a second-rate farm—the outgoings were 883*l.*, and the produce 766*l.* He believed that the farmer, in those parts of the country where he had nothing to depend on but the produce of his farm, found it impossible to make both ends meet. Those who had other resources would be able to stand against the present difficulties, for a shorter or a longer period, according to the extent of the funds on which they could fall back, but their capital must, in the mean time, be gradually diminishing. What was wanted, then, was some general measure of relief to lighten the pressure of a general distress. The chancellor of the exchequer had expressed a hope, that some relief would be given to the farmers by a commutation of tithes, and a change in the poor-laws. Salutary measures on these subjects would no doubt afford relief in some cases, but it would be by no means general. In some parishes tithes were little felt; in others, the poor-rates did not press with severity. To these no relief would be given by the proposed changes; whatever relief they might afford would not extend to the chief causes of the pressure on the occupiers of land; and at all events such relief was only prospective, and could not come into operation for some time, while the distress was such as to call for immediate aid. It could be effectually given only by removing those taxes which particularly pressed upon agriculturists. Why should they alone be excluded from relief by the removal of direct taxation? He moved the following resolution:—“That, in any reduction of the burdens of the country, which might be rendered practicable by

the remission of taxes, due regard be paid to the necessity of relieving the distress of the agriculturists, which had been alluded to in the speech from the throne."

The chancellor of the exchequer admitted that the agricultural interest was in a very depressed state; but he contended, that it was wrong to hold that they derived no relief from that which had been granted to the other interests in the country. The greatest relief, which could be given to the farmers, would be that which most affected the general body of the community; whenever the reduction or the removal of a tax aided manufactures or commerce, it aided agriculture. Thus, within a very short time, the price of wool had risen from 9*d.* to 2*s.* per lb., a relief greater than would be derived from the repeal of the whole of the malt-duty, even if the amount of duty, when repealed, were to go into the pockets of the agriculturists, which it would not. But what had occasioned this great increase in price? It was partly owing, no doubt, to the deficiency of the supply—mainly, however, to the general prosperity of the other interests, or, at least, to a great improvement in their circumstances, which enabled them to become more extensive customers of the wool-grower than before. He could not agree that the diminution of this or that particular tax would meet the agricultural distress which now prevailed. The small taxes payable by occupiers of land were, indeed, vexatious; but they did not press much on the farmer; and far greater benefit would accrue from placing the poor-rates on an improved footing than from any thing that could be done in

the way of relieving the landed interest from the pressure of direct taxes. Even the removal of the malt-tax would not afford the relief which it was imagined it would produce. Some parts of the country might gain by it, but others would not; for it was the farmers on the heavy lands, not those on the barley-growing lands, who were at present in the greatest distress. He therefore opposed the resolution.

M. A. Baring thought that the conduct of the government was contrary to all just and sound principles. A committee of the house had reported that, while the other interests of the country were prospering, the agricultural interest was in a distressed condition. The speech from the Throne had adopted the statement and confirmed it to parliament. The Chancellor of the Exchequer, in opening his financial projects, had announced a remission of taxation; yet that remission was to give additional advantages to those who were already in prosperous circumstances, and burthen, to a still greater extent, the portion of the community which was distressed. Was that the wisdom which ought to govern the decisions of parliament? If it was true that relief given to the manufacturing interest would benefit the land, the converse was equally true. Relieve the land, and put the agriculturist in a good situation, and the interests of manufactures and commerce would be promoted. During the discussions on the reform act it had more than once been said, that it would enable the inhabitants of towns to bear down the land; and the prophecy was fulfilled. One reason why the complaints of the agriculturists were disregarded

was, that they could not act in concert—that they could not parade London, and march down to the Home Office, in formidable procession. Importunity and clamour—threats of commotion and resistance to the law, obtained that which was refused to the patient suffering of the farmer.—Sir J. Wrottesley admitted the distress, but thought that it was owing principally to tithes and poor-rates, and that government taxes had so little to do with it as not to deserve to be included in the calculation.

Several other members, likewise spoke against the resolution, not as meaning to deny that the agriculturists were suffering, but because the resolution did not seem to lead to any result, and the means alluded to by those who supported it, were neither efficient nor just. Much more good, they said, would be done by removing local burthens, than by repealing imposts which affected the farmers only in common with the rest of their fellow subjects. The government did not anticipate any greater surplus than 1,200,000*l.*; and if even the whole of it were impartially applied to the reduction of general taxation, the portion of relief thus granted, which would fall to the share of the agricultural interest, would scarcely be felt. The remission of the malt duty would benefit the farmer only in so far as it might tend to increase the consumption of barley; and two measures having that effect, had already been carried into operation, one wholly repealing the duty on beer, the other partially removing the duty on spirits. The result had been, that, in 1820, the consumption of malt amounted to

27,889,310 bushels, and in 1833, the quantity consumed up to the October quarter was not less than 40,164,792 bushels, being an increase of forty-four per cent on the consumption of malt. It was not true that manufactures were flourishing. The farmers seemed to calculate the prosperity of commerce by its amount, that of agriculture by its returns. But that was not a fair mode of calculation. Supposing last year 100 sheep sold for 100*l.*, and this year 200 sheep sold for 200*l.*, would that be taken as a criterion of agricultural prosperity? The fact was, the manufacturers were not in the state of prosperity they were supposed to be. The principle of the resolution was in itself a perfectly innocent one; but in so far as it was not rendered objectionable by the accompanying commentaries, it was futile; because it pointed out no way in which the agricultural interest was to be relieved.

The supporters of the motion again, were far from being of one mind as to the manner in which relief ought to be afforded. Most of them required the repeal of the malt tax; others could not consent to this proposal, ascribing the existing distress exclusively to the change which had been made in the currency, the revocation of which they contended was essential to the re-establishment of a better order of things.—Mr. O'Connell carried this farther, and boldly proposed as a panacea, to attack at once the national debt. This wisest of nations, he said, had ruined the currency one-half, in order that they might pay with thirty shillings in the pound money which had been borrowed at twenty shillings in the pound. Scarcely a man in the country,

except the fundholders, received one-third of the income he had during the war—no man certainly more than one-half. Why should the proprietors of the national debt receive an income three times increased? Why should they receive three times the quantity of meat? The only radical remedy for the evils of the country was to reduce the interest of the national debt, to strike off at least one-sixth, and that would be a very moderate mode of dealing with it. “Talk of the cant of national faith indeed! National faith, so called, was national injustice. We must at last come to the reduction of the interest of the debt, and, therefore, the minds of all persons ought to be made up to some such measure. Every interest in the country was in a suffering condition. Despair and darkness, except where relieved by incendiary fires, reigned throughout the land. Put a stop to these evils by the only practicable mode, reduce the interest of the debt by one-sixth; and if, at the end of twelve months, that reduction should be found insufficient, come forward again and propose a reduction to a like amount.”

Mr. Stanley congratulated the house on the derision and abhorrence with which it had received the announcement of opinions so absurd and profligate.

Sir Robert Peel expressed his deep regret at being compelled, in relation to this motion, to vote on the same side with the man who could avow such doctrines—doctrines founded on an open violation of every principle of national faith and honour; but he should be ashamed of himself if he allowed that circumstance to prevent him from taking the course he had intended to adopt, or if he were to

permit himself to be thus deterred from the performance of a plain duty. He was not sorry, however, that the member for Dublin had avowed his political creed. When we came to consider the question of a repeal of the union between England and Ireland, we should be able to collect what political principles would be likely to prevail in the event of that measure being conceded “Oh! all you who are interested in the public funds, all ye Protestants who hold lands or other property in Ireland, learn from this indiscreet declaration what you have to expect when you shall be handed over to the tender mercies of a popular assembly in which the influence and principles of this learned gentleman shall prevail. ‘Cant,’ exclaims the learned gentleman—“Cant!” (turning round and fixing his eyes on Mr. O’Connell).

“I thank thee, Jew, for teaching me that word.”

You have decided the question of repeal of the union by this preliminary declaration. Know every man who has property of any description—who has any interest in the national funds, that on such slender pretences of state necessity rests the doctrine which justifies a violation of national faith—a doctrine under which, if once established, no description of property is any longer safe. Therefore, though I vote with the hon. and learned member, I cannot avoid expressing strongly my abhorrence of his principles.”

As to the motion itself, it certainly implied nothing inconsistent with public faith. The Chancellor of the Exchequer had explained in an incautious and premature declaration, that the national funds

were exceedingly prosperous, and accordingly, that he had a certain sum to be applied to the remission of taxes. He had said, "On the whole, my inclination is towards a remission of the house-tax: however, I make no such proposition, but I leave each of you a certain period, within which, to make your claim, and propose your plan for the relief of such interests as you please to patronise: mark, however, that if you succeed, I won't repeal the house-tax. A certain period I will wait, before I make any proposition; meanwhile, you can urge your claims for a participation in the surplus of 1,200,000*l*." If there could be any fair arbitrator between the conflicting claims which might arise, it must be the Chancellor of the Exchequer, who said, "In very truth I think the remission of the house-tax not the best proceeding that could be adopted." Now if we could relieve the noble lord from his difficulty by suggesting another tax, the remission of which he must approve, it would be well. "I spoke of taking off the house-tax," said he, "but I don't think that is the best thing I could do." Never was there so clear an intimation of a wish to be ravished as that. "I have consulted my political economists, and they have convinced me that this is not exactly the tax that ought to be remitted; that there are others which might be removed with greater advantage; therefore I give you six months, a clear stage, and no favour. Try what you can do." Now, confining himself within the limit of the 1,200,000*l*., he asked whether there were not other taxes which might be more conveniently repealed than the house-duty? The

agricultural interest, it had been said, was so intimately blended with all others, that the true way to insure its prosperity was to increase that of the country at large, to give freedom to commerce, and promote the active play of the ordinary springs of wealth. Did the remission of the house-tax comply with any of those conditions? He thought not. The house-tax, in fact, was in the nature of a property-tax, without possessing the inquisitorial and objectionable character of that tax; besides which, it applied more to the higher classes than the window-tax, the remission of which latter would be a greater relief to the agricultural interest. The remission of the house-tax was not a removal of a duty on raw materials which burthened the springs of industry. The house-tax was a direct tax, upon a principle not objectionable in itself, and he was by no means satisfied that it was proper to remove it. With a surplus of 1,200,000*l*. he was not clear that any one tax should be entirely remitted—of this he was satisfied, that there were many other imposts much better adapted for relaxation than the house-tax. A sound alteration of the poor-laws was necessary, not only for the relief of the agricultural classes, but in order to promote the best interests of the country at large, inasmuch as the independence and comfort of the lowest classes were intimately interwoven with the well-being of the highest. But, the evils of the present system of poor-laws being inveterate, relief to be sound or effectual must necessarily be tardy. It was mere delusion to hold out to the occupying tenant, in the midst of his distresses, the

expectation that any measure connected with an improvement in the poor-laws could operate as an immediate relief to the agricultural interests. He wished a committee of experienced persons to be appointed to consider the general operation of taxes, of local taxation, of the expenses of criminal proceedings and county prisons, of the operation of the poor-rates; he wished to see this course adopted, because he doubted whether the weight of local taxation was fairly appropriated in reference to the agricultural interest. The present high price of British wool ought to be considered as an indication of agricultural distress—for it was attributable to the diminution of sheep, occasioned by three wet seasons, and the advanced price did not compensate for the scarcity of the article. Those taxes ought to be repealed first, the removal of which, by increasing the wealth of the country, or affording relief to agriculture, directly or indirectly, would assist that class which was most distressed, and possessed the strongest claim to consideration by the loyalty submission, and patience, with which it had borne its long and severe sufferings.

On the division, the resolution was lost by a majority of only four, in a very full house. This success induced the Marquis of Chandos to bring forward the subject again on the 7th of July, by moving "That an humble address be presented to his Majesty, expressing the deep regret that this house feels at the continuance of the distressed state of the agricultural interests of the country, to which the attention of parliament was specially called in his Majesty's most gracious speech

from the throne, and humbly to represent the anxious desire of this house that the attention of his Majesty's government should be directed, without further delay, to this important subject, with a view to the immediate removal of some portion of those burthens to which the land is subject, through the pressure of general and local taxation." Those who supported this motion, besides reiterating the topics formerly urged, argued that the motion could no longer be resisted on the grounds connected with the poor-laws, or the commutation of tithes. The tithe commutation bill had been abandoned altogether. From the bill for amending the poor-laws, it was plain that the farmers could not derive any advantage for several years, if they ever derived any, while they would forthwith have to make a large outlay for the building of workhouses. It could not be doubted that there was a surplus, since government had been so liberal in grants to the Poles, to Danish claimants, and to the Irish church; and yet nothing had been given to the agriculturists but empty promises. If government had no intention of proposing any measure of relief, why had they excited the hopes of that class by the reference to them in the king's speech, as if agricultural distress, like the king's evil, could be cured by the touch, and required only to be mentioned in a royal speech in order to be remedied? The expectations, which had been excited in all classes connected with agriculture, had been utterly and grievously disappointed; that disappointment had produced unusual dissatisfaction; and the numerous petitions still praying for relief, and expressing regret

and surprise that nothing had yet been done, showed the kind of feeling which could not fail to be prevalent. Ministers should look at the important situation which farmers held in the country ; and when a new system was about to be let loose upon it, the success of which must mainly depend upon that class of the community, the session should not be allowed to pass over without some means being adopted to encourage and assist them. Unless the farmers were so far relieved from the pressure of taxation as to enable them to support and employ the poor, it would be altogether impossible for the magistrates, whether lay or clerical, to maintain peace in rural districts.

Those who opposed the motion on the same grounds on which they had resisted the former resolution, added, that it was now too late to do any thing effectual ; that it would be inconvenient at so advanced a period, to disturb the financial arrangements ; and that, from whatever motives it might have been made, it seemed calculated to serve the mere party-purpose of rendering government unpopular in the eyes of a large and important section of the community.—The Chancellor of the Exchequer said, it was extremely difficult to discover those taxes which peculiarly pressed on the landed interest, and the motion gave the house no information what they might be. He had no doubt but that, at the end of the financial year in April, the surplus, on which he had reckoned, would be found to exist, which he would not scruple to apply to the reduction of taxation. He was not prepared, of course, to enter into any details of such a future arrange-

ment ; but it seemed to him, that the window-tax on farm houses, below a certain amount, might be removed. Boys, under fifteen years of age, might likewise be allowed to be employed as household servants without being taxed. He would also propose that husbandry-horses, occasionally employed in other occupations, should be relieved from the tax after a certain time ; that farmers below a certain amount should be allowed to use horses employed in agriculture as riding-horses ; that they should have the power of occasionally letting their horses for hire, without being subject to the usual tax ; and that the taxes on horses employed by shepherds and on shepherds' dogs should be repealed. On the division, ministers had a majority of 16,—174 having voted for the motion, and 190 against it.

On the 17th of March, the question of the duty on malt was brought directly before the house by a motion of Mr. Cobbett, that it should cease and determine from and after the 5th of October next. The first ground on which he justified the proposal was, the great number of persons engaged in, or dependent on, agriculture who were affected by the tax. It was not uncommon, indeed, to treat the agriculturists as being numerically an insignificant body, compared with the manufacturers. There could be no greater error. It arose in part from the population tables, which presented so many families as engaged in agriculture, and so many in manufactures ; but then a great number of the latter were manufacturers only of articles required by husbandry alone. The summary of the returns showed 1,075,000 able-bodied men above the age of twenty employed in

agriculture, and only 320,000 employed in manufactures. But the inhabitants of towns were likewise interested in the repeal of the tax, for they, too, drank beer. Secondly, another and a very serious objection to the malt-tax was, the enormous expense attending its collection. The expense of collecting the stamp-duty was only 168,000*l.*, while five-sixths of the expense of the excise was attributable to the malt-tax. But even that was not the true ground upon which it ought to be objected to. Another great evil was the monopoly it created. 'The four million quarters of malt, if there were no tax, would cost the people 5,600,000*l.*; but now it costs them 14,400,000*l.* The tax, therefore, takes from the people ten millions of money. But it would be said, the ten millions went somewhere:—true, it did—but let the house recollect that only four millions and a half went into the exchequer. It was the extensive maltsters, who got the money. The small consumer being unable to purchase a large quantity, could not buy it cheap; and it was only the large monopolist who could sell it cheap. If there were no tax the monopoly could not exist. But the greatest of all the evils resulting from the malt-tax was its pernicious influence on morals by preventing the labourer and peasant from brewing his own beer, and driving him to the ale-house. Once at the beer-shop, the poor man would never leave it until he had drunk more than he ought; whereas if he were allowed to have his own beer brewed at home, no such evil would exist. Every person, at all familiar with agricultural pursuits, knew that he could get more work and better done for 1*l.*, with an

allowance of beer, than he could for 2*l.* without beer. If a labourer came to be hired, one of his first questions was, "Will you allow me beer?" "No, but I'll give you sixpence to purchase it." It was with great reluctance he accepted the sixpence, instead of, perhaps, less than the value of it in beer. Look at the same man at his work. When his mouth begins to parch in the heat of a summer's day, down goes the scythe, and off he sets to the beer shop with the sixpence, and spends not only that but a great deal more. Allow the same man to bring along with him a bottle of his own brewed beer, and let him retire under the shade of a hedge, and refresh himself during his work. It could not be necessary to point out how far preferable the latter would be both to the employer and the labourer? the labourer's wife would take care to save enough to buy the bushel of malt, not merely for the sake of economy, but with the more important object of keeping her husband at home. The repeal of this tax would also have the good effect of restoring young men to the house of the farmer, where they would have a master and mistress to watch over their conduct, and compel them to keep proper hours, instead of prowling about as at present, or assembling in beer-shops, or elsewhere.

The motion was resisted on the ground that it would unsettle all the financial measures of the country, and diminish the revenue by five millions, for which no substitute was even proposed. It had been already voted that certain establishments should be kept up; and if these five millions were now withdrawn from the public income, either the establishments, so

voted, must be given up, or the interest of the debt must remain unpaid. A property-tax had often been spoken of; but as yet there was no such tax, and nothing could be more injurious to public credit, or a more dangerous risking of good faith than to abolish one source of revenue before another was in operation to take its place. First, get the property-tax, or any other that would supply the five millions; and then talk of repealing the malt-duty. As to the duty itself, looking at it abstractedly, the reasons for its repeal would apply to every tax. It, no doubt, would be a great good if the practice could be revived of the labourer brewing and drinking his beer in his own house; but the present state of society allowed no hope that the peasantry would ever do so again. Whatever alterations might be made in the tax, they would still find it cheaper to buy beer than to brew it. The motion was rejected by 142 to 59.

While the agriculturists were thus demanding relief, the corn-laws were not only insisted on by those who maintained a different interest, as an answer to all complaints, but were likewise themselves made the subject of formal attacks. On the 6th of March, Mr. Hume opened a discussion, which lasted for that and the following day, by moving, "that this house do resolve itself into a committee of the whole house, to consider of the corn-laws (9th Geo. 4th, c. 60), and of substituting, instead of the present graduated scale of duties, a fixed and moderate duty on the import at all times of foreign corn into the United Kingdom; and for granting a fixed and equivalent bounty on the export of corn from the United Kingdom; with the

ultimate view of establishing a free trade in corn." He traced all the existing distress to be found in the country to the want of employment; this, again, he ascribed to the obstacles which the corn-laws presented to the consumption of manufactures, both by raising the price of production, and impeding their export to countries willing to take them in return for corn. Till about 1770, England had been, in regard to grain, an exporting country. Since it ceased to be an exporting country, the population had nearly doubled; that increase had taken place principally in the manufacturing districts, and had been owing entirely to the growth of manufactures. Now, there was no mode of supporting the manufacturing population but by enabling them to supply those manufactures which every part of the world would be willing to take, provided that we were willing to take from them that which they were willing to give in return. Agriculture could only support a limited number of labourers; but the labourers would nevertheless increase; and unless increasing manufactures were at hand to give them employment, they would be thrown back upon the land, and eat up the whole of its produce, leaving the landlord no rent. He took it for granted that the produce of the soil of England had reached its utmost under the excitement produced by the high prices of the late war. But, if the produce of the land could not increase, the manufacturing population was undoubtedly increasing. That might be seen in the great increase of the exports; for he thought that the improvements in machinery were not alone sufficient to account for the great rise in

the exports without a great increase in the manufacturing population. The population had increased as much as 17 per cent. How, then, were we to give support to this increase of population, unless encouragement were given to the manufacturers of the country? Taking the average of the price of labour on the continent, it was from 30 to 40 per cent. lower than in England; consequently, the manufacturer here had to contend against this reduction of wages, and the only way to meet this difficulty was by an equalisation of the price of food. It would be easy to prove that the product of the manufactures of the country would be treble their present amount, but for the baleful operation of the corn-laws. The effect of doing away with these laws would be to reduce the rate of wages, and enable our manufacturers to compete with those of Europe and America. Persons employed in manufacturing labour formerly only worked twelve hours in a day; they were now compelled to work fifteen or sixteen hours, in order to compete with the foreign producer, who had food 40 per cent. lower than they. Thus was the country pauperised. Want of manufactures produced want of work; the tradesman was thrown out of employment, and flung upon the parish. Though wages would be lowered, food would be proportionably cheaper, and England being the principal corn market, she would strike the average price of Europe, and, at the same time, by her cheaper production, secure a market against the competition of foreign manufactures. The defence of corn laws had always been mainly rested on the necessity

of protecting the agricultural interest. In the first place, instead of being beneficial to that interest, they were injurious to it. Secondly, even if they were beneficial, it would be unjust and inexpedient to confer such a benefit at the expense of all the rest of the community. The object of the act of 1815, which might almost be said to have been passed at the point of the bayonet, had been to keep the price of corn steady; but it had failed to accomplish its end. A number of variations took place between 1825 and 1828, when the law was altered. These variations ran up and down at the rate of 40 per cent., and they were such as no provisions could guard against; so, that instead of being advantageous, they were injurious to the agricultural interest. The landlord suffered—the farmer became bankrupt, or was obliged to pay the amount of his rent by deductions from his capital; so that it was obvious that the law failed of the object at which it aimed—the support of the agricultural interest—whilst the rest of the community were starved by the project, and the artificial want consequent upon it. So uncertain and mischievous was this law found in its operation, that, since 1815, twelve acts were passed violating its provisions to meet emergencies. He was ready to give the agriculturists every protection which they could fairly claim; but if, by protection, they claimed to raise the price of corn above what it was on the continent, it was incumbent on them to show the reason of such claim. If, from 1791 up to 1815, when the ports were open, corn came in duty free, in the year 1815 the agriculturist could only claim protection for the average

price in Europe. Since then it had become lower upon the continent; and why should the agriculturist claim to be supported in a monopoly which was then granted to them by a parliament of landholders? They said, that they were laden with peculiar burdens not imposed on other portions of the community. Of these, tithes and poor-rates were the foremost. But no man was entitled to claim any thing on account of tithe, a burden existing from time immemorial, and taken into account in fixing the rent or price of the land. Against poor-rates were to be set off the cost of paving, lighting, and watching, and other expenses incidental to towns, besides their rates. Let them look again to church-rates; from these the landed interest was peculiarly exempt. Then, it had been said, that there was a heavy charge for the militia force; but on this head, also, the balance was against the landed interest, though this charge was by no means so great as formerly. As to county rates; the agricultural counties were much less pressed by them than the manufacturing counties. It must likewise be remembered, that the landed interest was protected in many things besides corn. No manufacture was protected above 30 per cent., with one exception, whilst there was a long list of articles of agricultural produce which the people of this country were absolutely prohibited from importing. The people of England were not allowed to exchange their labour for imported beef, pork, or black cattle. What right had the agriculturist to say, that his timber, hay, cider, cheese, straw, and tallow, should be protected? They were protected, how-

ever; and so jealous was he of anything entering into competition with him, that even the importation of asses was prohibited. Another important consideration was the effect which these laws had on our commercial relations with other countries. It had been clearly proved that the virtual exclusion of our manufactures from the American ports, which had created so much suffering amongst the industrious operatives of this country, was owing to our refusing to admit American corn, to revenge which they had passed the tariff bill. Prussia, finding we would not take her timber and corn, had shut us out from the greatest portion of Europe for the last ten years, and had now enlisted Germany in her views. None of our manufactures could now penetrate there, except such as were smuggled and contraband. On every sound principle, therefore, the system should be changed for one which should give steady prices, and at the same time, permit free commercial intercourse. He had formerly advocated a duty of 15s. per quarter, which should be reduced one shilling every year, till it came to the point at which the agricultural interest had a claim to protection in consequence of any exclusive taxation paid by them beyond that to which other classes were liable. When they came to that point, they must do one of two things. They must either relieve the agricultural interest from their exclusive burthens, which he should much prefer, or give them an equivalent protecting duty. In the present situation of the country, he thought the duty on wheat, should commence at 10d. per quarter, and should be reduced

1*d.* in each successive year. This would be a slow mode of relief; but it would, perhaps, be better than a sudden and extreme alteration.

Sir James Graham spoke at great length in support of the existing system as necessary to prevent the destruction of the farmers, and the annihilation of the occupations of an immense body of agricultural labourers. It was an established fact, that no country in Europe consumed anything like the same quantity of wheat as the inhabitants of the United Kingdom. Therefore it was absolutely necessary to our safety, that our supply of wheat should be constant and abundant—so abundant as to leave out the possibility of scarcity,—so constant as not to put it in the power of a foreign country to injure or annoy us; and that we should be entirely independent, and should ourselves produce the supply necessary, because we ourselves consumed it. To secure these objects, some system similar to the present was indispensable; and the great excellence of the existing system was, that as the price rose the duty fell, thus giving at once protection to the grower, and relief to the consumer.

Farther, it seemed to him impossible to adopt the views propounded by the opponents of the corn-laws, without abandoning the principles which we followed in all other cases. The “free trade” in corn, for which they contended, was a sort of trade which did not exist in any thing. Mr. Huskisson himself never contemplated such a state of things; he never made any attempt at “free” trade; he never applied the term “free” trade to his measures, but spoke

of them as they really were—a substitution of protecting for prohibitory duties. What course did Mr. Huskisson take with respect to the silk-trade? Did he make, or attempt to establish what was called a “free” trade in silk? He imposed a duty on silks the minimum was 25 per cent, and which, as far as certain goods—gauzes, he believed—were concerned, was afterwards raised, and was at present little below 40 or 50 per cent. Such was what was called free trade. And what were the grounds on which Mr. Huskisson defended the imposition of these duties? Expressly, that as our manufactures were burdened by taxation, a protection as against France was not merely advisable, but absolutely necessary. Now, in addition to the general taxes, there were special burthens pressing on agriculture, which required that land should have a similar protection. In his enumeration of burthens supposed to be laid exclusively on land, Mr. Hume had omitted one little tax, called the land-tax, which at present amounted to two millions. There was besides tithe, the malt-duty—no very trifling impost—county-rates, which, in fact, put the landed proprietors in the place of the public prosecutor. The legislature itself had declared the amount of tithe and poor-rate alone to be 33 per cent. on the rental. When the property-tax was imposed, 1*s.* 6*d.* in the pound was charged as the farmer’s share. Scotland remonstrated against this, on the ground that there tithe and poor-rates were both computed in the rent, which was not the case in England; and the consequence was, that after a fair consideration

of the question, the tax was reduced to one shilling in the pound for her farmers, and maintained at one shilling and sixpence for ours. Tithes might be commuted, and the poor-laws amended; but the commutation would still leave a charge on the land, and so would the poor-law, however shaped. The produce, therefore, of capital labour and skill applied to land was at least as well entitled to protection, as when they were employed on any thing else.

But it was said, the existing laws limited our exports, and thus produced evil by limiting the means of employment to be furnished to an increasing population. How stood the fact? Under the present law there had been a considerable increase of exports to those countries which were the chief corn-growing countries, such as Russia, Denmark, Prussia, Germany, the Netherlands, the British North American colonies, and the United States of America. The whole exports to those countries (and he included all articles of whatever kind) in the year 1828, amounted to 27,472,000*l.* official value, and in 1832, to 35,216,000*l.* being an increase of one-sixth during the period that the present corn-law had been in existence; or, taking the exports of British and Irish produce alone, the official value of exports of British and Irish produce in 1828 was 21,275,610*l.*; in 1832, the value rose to 28,031,950*l.*, showing an increase of seven millions during the time that these decreed laws had been in operation. In truth, one of the very first effects of any measure for carrying into operation the present motion would be to diminish the products of our manufactures. It

would deprive a large number of agricultural labourers of employment. They then would cease to be consumers, or to deal with the petty shopkeepers; the call for manufactured goods would be lessened, and the manufacturers themselves could not so extensively purchase the raw material. We should get into a labyrinth, out of which there was no extrication; and the result would be, that the manufacturing classes of the nation would be utterly ruined. Foreign trade, it was true, would be increased, but it would be increased at the expense of the manufacturers of Britain. He did not undervalue foreign trade, but one limit ought to be put to it—the limit of our own industry. That was the only statesmanlike way in which to view it. The foreigner should only be encouraged when native exertion was dormant—importations ought not to supersede the produce of home labour. On that ground alone, he would not fear to take up his position of defence. The question had been well and briefly stated to lie in a nutshell. Would they prefer Europe to Ireland and their North American colonies? The present average prices were said to be most injurious to the manufacturing interests. Let this be tried by facts? If estimated by the then standard value of money, the average prices would be found not to have much varied within the last century. Fifty shillings was the average in 1792, when the standard of William the 3rd was renewed, and the present average was 48*s.* 11*d.*, a shilling less than at that period. Much stress was always laid, in treating this question, on the variations of price under the existing law, as if that law produced the variations

such as they were. Let the house only look at the fluctuations under an opposite system. The first period to which he should advert would have its commencement in the year 1797; from that to 1801 there was a fluctuation in prices of 220 per cent., for the next period of three years, the fluctuation was 100 per cent., the average price being 69s. 9d.; from 1807 to 1811 the variation was 74 per cent., the average price being 88s. 3d.; from 1817 to 1821, the variation was 143 per cent. Then came the existing law. The lowest extent of the variation, during the whole of the preceding part of the century, having been 74 per cent,—the period immediately subsequent to the introduction of the present system, a period of profound peace—that from 1822 to 1826—presented a fluctuation of only 81 per cent. During the last five years the fluctuation was only 49 per cent, while in the free market of Rotterdam, the variations had averaged 91 per cent. Again, in the year 1673, the trade in corn was perfectly free; and from that to the year 1700, the average price was 53s.; from 1700 to 1735, the trade was restricted; and in the earlier part of that period it was 39s. 2d., in the latter, 34s. 10½d. From 1766 to 1774, we had eight years of free trade, and the average price was 50s. 10d., being a difference of 15s. In 1773, there was an alteration of the law not very material to the question under consideration, and the price from that time to 1791, was 49s. 2½d., being a difference of 13s. 4d. From these facts it was evident that the operation of free trade was to produce fluctuations and occasional high prices, while the effect of an opposite system was uniformity and steady-

ness. And of a truth, the remedy, by which the mover of the present proposition intended to cure the evil and inconvenience of change, was a singular one—a succession of changes. He did not propose either to establish a fixed duty, or to permit a free trade in corn, but he proposed precisely that which he had before condemned. He proposed a reduction of duty by a scale of shillings, until, at last, the duty should be altogether extinguished. The difference between the plan proposed by his hon. friend and the immediate abolition of the corn-laws, was the difference between a lingering dissolution and a sudden death. It was a remarkable fact, too, that the charge against the corn-laws, of being injurious to the manufacturing interest, was brought forward at a time when the manufacturing population of the country was in full employment; and when the only part of the population unemployed—willing to work, but unable to obtain work to do—was the agricultural. Mr. Hume had admitted, that his proposal would reduce rents 30 per cent. If it did so, he spoke advisedly when he said, that two-thirds of the landed property of England would at once change hands. It could not possibly be any benefit to the state that a great change of proprietors should thus suddenly and simultaneously take place; it would be attended with great individual suffering—with much individual injustice. How far soever those evils might eventually attend such a large and extensive change, brought about under any circumstances, yet if it took place gradually—if large capitals should be brought to bear quietly and peaceably on the purchase of land

—If an immense mass of land were not thrown at once into the market, those necessary evils would be greatly mitigated, and the suffering occasioned by such a gradual transmutation would be comparatively slight. But if the house were, in one night, to change the existing system of the corn-laws, the injustice thereby produced would be immense, and the danger beyond calculation. However unjust such a change in the property of the country might be under any circumstances, it might be safe, if gradual and not sudden. But in the present instance, the change would be at once dangerous and overwhelming. It would be equivalent to an agrarian law — it would be a complete change in the existing frame of society. These were the considerations which weighed with him *principally in opposing this motion* — considerations which could never be dissociated from such a measure as that now proposed. It was a measure, that would not be beneficial to the community at large; for no measure could possibly be productive of general benefit which was calculated, like the present, to bring about a great change of property — to cause great individual misery — and to produce the total destruction of an entire class of the community. It would be no small evil, that such a change should produce the destruction of any class of the community; and when such a class was the agricultural interest — the most important class of all — his solemn opinion was, that its destruction would be the destruction of the state itself.

Lord Morpeth, himself connected with the landed interest, and Mr. Clay, member for the Tower Hamlets, and representing an in-

terest more particularly commercial, supported the motion. — Lord Howick was of the same opinion, contending that it was the corn-laws which kept the agricultural interest in a state of depression, when all other interests were prospering. The Irish members, who spoke, were decidedly adverse to the proposition, and hoped that all their colleagues in the representation of Ireland would be equally so; for they maintained that a repeal of the corn-laws would deprive Ireland of the market for three-fourths of her produce, and render her incapable of consuming the manufactures of England. The very agitation of the question would do much mischief in Ireland, unless the house distinctly declared that there was to be no change in the existing law.

Lord Althorp informed the house that he would meet the motion with a direct negative, although his opinions were favourable to an alteration of the existing system. But this was not merely a theoretical question; and he did not see that there was any present exigency which demanded an immediate change, nor any near prospect of such an exigency; while, on the other hand, it was well known that great distress existed among the agricultural part of the population; and that distress would certainly be aggravated by any such measure as that now proposed, if it were only by the great alarm which it would occasion. In opposition, therefore, to his theoretical opinion, he would resist the motion; and he believed that every cabinet minister would vote against it. There were, certainly, some members of the government, whose opinions on the subject were so well known, that it was felt

[T]

impossible to ask them to vote against the motion ; but they would vote as individual members of that house, and not as members of the government.—The earl of Darlington spoke against the motion, ridiculing the idea of a fixed price, so long as they were unable to fix the character of the seasons. He would have moved an amendment, he said, had it not been for a request addressed to him from the highest quarter in the government, not to divide the landed interest, in order that the motion might be directly negatived by as large a majority as possible.

Mr. Thomson, vice-president of the board of trade, was one of those members of the government, though not of the cabinet, who intended to support the motion, and he delivered a long speech principally in answer to that of Sir James Graham. He contended that, so far from the existing system conferring any benefit on the corn-growers, the farmers, who had been deluded by it, had more reason to complain of it than any other class in the country. The language held to them by the law of 1815 was, that the price of corn would not be suffered to fall below 80s. In that declaration they trusted ; and numbers of farmers were induced to embark their capital in land upon the delusive notions then given of the prices the corn-laws would secure to them. Afterwards came the laws of 1827 and 1828, the latter of which they were now suffering under. Mr. Canning, on introducing the corn-law of the year 1827, made a statement, which, as regarded the question under consideration, was as applicable to the law of 1828, as to that of 1827. “ Instead of violent fluctuations in price, such as you

have seen, you will see a price varying between 55s. and 65s. ; you will see an even tenor of price to that extent.” It was upon that assurance that the farmer took his farm ; but what had been the experience of four or five short years ? If they turned to the price lists, they would see that on the 25th of January, 1831, the price of wheat was 75s. 11d., while, to-day, it was at 48s. and a fraction. He said, therefore, that the farmer was the man who had been deluded, and the man who had a right to complain ; for so far was he from having benefited by the legislation, that he had been deeply injured by it. All persons connected with agriculture had suffered from the same cause. Their condition was fully described in the report of the agricultural committee of last year. It set forth the ruin coming upon that interest, which the corn-laws were intended to protect : it drew lamentable pictures of the misery and destitution of the farmer and the yeoman, which were calculated to excite the sympathy and compassion of any one who could feel for their deplorable condition. Thus, after eighteen years’ experience of the corn-law system, after the reports of committees, and great deliberations upon the subject, it was proved, that the supply of agricultural produce had diminished—that the farmers and yeomen were suffering deeply—and that our boasted independence of foreigners was completely at an end. Upon that report alone he would take his stand, and he would ask, after eighteen years’ experience, would they still persevere in that system which had brought the agricultural classes to the verge of beggary and ruin ? That report, and the state of the poor rates, proved how great

a want of employment had grown up under the present system; yet they were told that the effect of a change would be to deprive vast numbers of agricultural labourers of occupation; and they were told, in the same breath, that the change would not prevent high prices, or rather that it would be favourable to a rise in prices. If prices rose, why should labourers be deprived of employment? The contrary would be the result. Even if they fell, frightful consequences had been depicted, which would not follow; as was proved by the experience which they already had of diminished prices.

And what were the effects on our manufactures of this system which had ruined our farmers?—and this country, it must be recollected, was one which existed by her foreign commerce, not by her agriculture. In 1815, the nations of Europe, though they had attained a state of peace, were exhausted by a long war, and disturbed by the difficulties necessarily attending it, especially when they were subject to hostile invasion. The United States were still at war. From one end of Europe to the other the steam-engine, which had been in use in England during years before, had scarcely been heard of. The spinning-jenny and the flax-frame, which we had brought to perfection in our manufactures, were almost unknown among the other nations of Europe. This country had then a field for industry and enterprise, in which she was fifty years in advance of the rest of Europe. But instead of taking advantage of this opportunity, we imposed the corn-laws. By refusing to take from those nations the only thing they had to give in exchange for our manufac-

tures, we compelled them to make for themselves what they could not purchase from us. What would the land be worth without the aid of the manufacturer? What was the relative advantage possessed by the two classes? The cultivator of the soil had always a ready market among his neighbours for the produce of his lands. He had not to go to foreign climes to seek it—he was always at perfect liberty to accept the best price which the competition of those in his vicinity would permit him. What was the condition of the manufacturing and commercial classes, who annually exported 36,000,000*l.* of the produce of its manufactures—of the skill and industry of the country? They could not regulate their market; they could not find an adequate market at home; they were obliged to seek one in the farthest regions of the earth—to come into competition with the natives of countries where human labour was valued at almost nothing—above all, to convey their goods to these distant regions loaded with freight duty, and all the other *et ceteras* which restricted trade. Was it not enough for the agriculturist that he had priority in the market? Why should he seek to fetter the trade of the manufacturer? It was true that our trade and exportation had gone on increasing. But this was a question of degree; and if it had not been for the prohibitory laws, we should have been the suppliers of the world, instead of being, as now, scarcely able to compete with the manufacturers of other countries. Besides, in several years preceding those which had been quoted by Sir J. Graham, there had been exports whose declared value amounted to more than 92,000,000*l.*, instead of

82,000,000*l.*, thus shewing a decrease instead of an increase. The argument likewise, founded on the necessity of keeping our supply independent of foreign states, was unsound. Whatever be the dispositions of governments, if we had a free intercourse with the people—if we made it worth their while to become our customers, we would create a bond of union which nothing could destroy. Nay, the agricultural report proved that, at this very moment, we were dependent on foreign countries for part of our supply, and that, too, under all the disadvantages incidental to the fluctuating duty. Advocates of the present proposition had been taunted with the danger of placing this country at the mercy of foreigners for its supply of corn in time of war, when Europe might shut her ports against us. What was the fact?—and fact was in this case a thousand times better than theory—why, that in the middle of the last war, when the greatest efforts that were ever resorted to, were made to shut us out from the continental markets, we actually imported a larger quantity of corn than we had ever imported at any previous period; no less in amount than 1,400,000 quarters were imported into this country at a time when we were at war. The strangest argument of all, and yet one which was represented as conclusive, had been, that the varying scale of duties produced fixity of prices; and the averages had been referred to in proof of it. He must give a flat denial, both to the assertion and to the alleged results of the evidence. Fluctuations had been much more extensive and sudden under the graduated scale, than under a system of perfectly free

trade. From 1771 to 1775, the highest price was 52*s.* 8*d.*, and the lowest 47*s.* 2*d.*, the difference being 5*s.* 6*d.* From 1781 to 1785, the prices varied from 52*s.* 8*d.* to 44*s.* 8*d.*, the difference being 8*s.* From the year 1783 down to 1790, the fluctuations had been as follows:—

The prices varied		<i>s.</i>	<i>d.</i>	<i>s.</i>	<i>d.</i>	<i>s.</i>	<i>d.</i>
In 1784 from	48	2	to	41	10	diff.	6 4
In 1785 —	37	5	to	34	6	do.	2 11
In 1786 —	36	2	to	33	10	do.	2 4
In 1787 —	44	10	to	36	1	do.	8 9
In 1788 —	45	1	to	42	9	do.	2 4
In 1789 —	54	11	to	47	0	do.	7 11

The highest amount of difference was 8*s.* 9*d.*; the lowest 2*s.* 4*d.* These had been the fluctuations under a system which had been referred to as greatly inferior in its working to that which had prevailed since the year 1828, when a measure was introduced which professed so to regulate prices that they should always vary between 55*s.* and 65*s.* Now, if prices were even kept within that range, he should deem it too extensive; but how stood the fact, and what had been the operation of the bill?

The prices varied		<i>s.</i>	<i>d.</i>	<i>s.</i>	<i>d.</i>	<i>s.</i>	<i>d.</i>
In 1828 from	75	3	to	56	0	diff.	19 3
In 1829 —	75	3	to	56	3	do.	19 0
In 1830 —	72	11	to	56	1	do.	16 10
In 1831 —	73	5	to	60	5	do.	13 0
In 1832 —	63	5	to	52	5	do.	11 0

Thus the boasted effects of that system, which was to establish a graduated scale, and through the agency of that scale to limit the fluctuations within a range bounded between 55 and 65, had been to create an extent of fluctuation much greater than its projectors at all anticipated, and extending far beyond any amount of fluctuation which ought to exist under a sound and well-regulated system. The great object, for which that mea-

sure had been introduced, was altogether lost; the whole was a failure; and they were as far from the whole aim of the bill—fixity of price—as if they had never proposed to themselves any such object. The effects of these fluctuations on the corn trade itself were still more important. He did not cherish the delusion, that if the corn-laws were repealed or modified to the extent of the present proposition, corn would be much cheaper; but he did expect that the price of wheat, under such circumstances, would be much more equal. Now, it was apparent to common sense that since they were obliged to take large supplies of corn, such as they did at present, from foreign countries, their object should be to make the most of what they were obliged to take. But, under the existing corn-laws, our trade in corn with foreign countries, owing to the fluctuations and the irregular demand, was looked upon by them as an absolute nuisance. When a rise in the price of corn took place here, the consequence was a sudden demand from this country for corn from foreign countries, so as to completely disturb their markets. The demand came so suddenly, and was to such an extent, that the effect of it upon their markets was to disturb all their proceedings. Did our present trade in corn with foreign countries, large as it was, induce them to take English goods in return, or tend to produce among them a taste for English manufactures? No such thing. There could be no doubt that such a trade would have produced such an effect, had it been under regulations of an equal and fixed nature,—considering that, during the last five years, we had im-

ported from abroad an amount equal to 6,000,000 of quarters of wheat. If such a trade were carried on upon equal and steady principles, it would tend to diffuse a taste for, and to promote the consumption of, English manufactured goods on the continent of Europe. But, as the existing law stood, foreign corn came to us at rare intervals, and at a high price. How much of that price, which was eventually paid for foreign corn in this country, went into the pockets of the producers of it? After the charges for freight, for warehousing, and the other charges incidental to its transmission here, were deducted from the price which it fetched, it would be found that a very small proportion indeed of the total price went into the pockets of the producers of the corn. Now, that was one of the main objections to the existing system of corn-laws. With the present fluctuating duty, while we had to pay a high price for foreign corn, the revenue did not gain by the increased price. The producers of the corn were not gainers by it. In fact, a great proportion of that price was money actually lost.

Mr. Baring, and Mr. Cutlar Ferguson strongly opposed the motion. It was now admitted, that the proposed change would not make corn cheaper than it was; why, then, should they run the risk of destroying the agricultural interest, and what became of the harangues of those who had got seats in the house, by promising the people to procure for them cheap bread, saying, “We will destroy the hateful monopoly of the landlords, and take care that the labouring classes have the bread they so hardly earn at a

fair and proper price?" This was the language that resounded from one end of the kingdom to the other; and now they had the authority of a member of the government—the greatest authority upon the point—that the alteration of the corn-laws would produce no such effect. To obtain anything from foreign powers, we must, in the first place, make concessions. We must take an additional supply of their produce to induce them to take our manufactures. The consequence of this must be, that for every new quarter of wheat we take in of the additional supply, we throw out of cultivation in this country as much land as would produce that quarter of wheat. Another effect would be, the turning out of employment all those persons who were heretofore engaged in the cultivation of that land. "Ay, but," said the political economists, "by the operation of the great principle of absorption, those labourers who are thrown out of employment in the one place will be taken into employment in another." Very well; but did the hand-loom weavers find employment so easily under the operation of this mighty principle? The fact was, that the agricultural labourers must go on the poor-rates, and there would be none left to pay the poor-rates, because the farmers, too, would be destroyed. As to the remark, that we had already incurred the danger of a foreign supply of grain, surely that could not be considered as an argument why we should incur yet more danger? It appeared by the returns of last year, that the largest imports of corn were from Russia. From Russia were imported 937,000 quarters of grain; from Prussia, 481,000

quarters; and from the Germanic States 395,000. It appeared, in fact, that three-fifths of the grain imported came from these countries. They never could have a steady supply from Russia, Prussia, the German States, and Denmark. They should, in the first place, give those countries notice to cultivate a sufficient quantity of land to answer the demand—a matter not easily to be accomplished. And then, notwithstanding all preparations and precautions, a single night might destroy the supply altogether. One tariff—a single order from the allied governments, might shut all the ports, and we should not have time to send to America. In a word, we should be completely in the power of the great allies, whenever they pleased to strike the blow; and the blow they never would hesitate to strike at the sacrifice of present loss, whenever they had an adequate object in view. It was said, however, that, if we were to admit the corn of foreign countries, that they would receive our manufactures in return. But let the house look at the question practically, and mark the result. There was France—which did not want to sell its corn to us; and whose conduct might accordingly be taken as a strong case. Had we obtained any notable advantage by taking off a portion of the duties on French wines. No sacrifice of our domestic interests could induce foreign powers, all of whom retained a system of exclusion, to join in what was termed a principle of free trade. It had been essayed; and though one philosopher, Dr. Bowring, had been treated by the continental powers as the greatest genius that ever came amongst them, yet if the vice-president of the board of trade, and the proposer of this

motion, even joined him to complete the trio, they would fail in persuading the Germans, the French, or the Russians, to make concessions to their plans. Russia admitted just as much of foreign produce as she pleased, and no more, and, with a determination to support her own manufactures, rejected those of this country. It had been also stated, that a great outcry had pervaded Germany from one end of that country to the other; that the people of Germany were bent upon breaking up the monopoly of England; and that Prussia, with the greatest care and art, had done that which had been thought almost impossible, namely, brought the principalities of Germany to join in a determination not to yield to the seductive propositions, but to endeavour to relieve themselves from what was called the monopoly of England. Had the foreign secretary any protocol by which these confederated states agreed to reduce their tariff, or admit our manufactures duty free, if we admitted their corn? If that noble lord had taken half the pains to disappoint the intrigues of Prussia, that he had done to meddle in matters with which he had nothing whatever to do, a much greater benefit would have accrued to this country. All foreign nations, in short, stood on their own grounds. England, indeed, had been assailing them with liberality, but this had never yet led to any practical result.

As to a fixed duty, Mr. Baring maintained, that nothing deserving the name of argument had been advanced in defence of it. When the question resolved itself into one of protection or no protection, it was easy to meet it; not so, however, when it became a question of de-

gree. When a man alleged that there was no necessity for extending protection to the agricultural interests of the country, the position was at least intelligible; but how any man could defend the substitution, and demonstrate the superior advantages, of a fixed over a shifting duty, he could not, he confessed, understand. This system of a shifting duty had certainly worked well, and was, perhaps, the best that could be adopted; it suited, he thought, the very difficult circumstances in which the country was placed, as far as any arrangement of the kind could be satisfactory. The mover had been hunting about for some plan by which he might make the price of food uniform; but until he found no fluctuations in the seasons—until he discovered that one year was not more or less productive than another, he might as well look for the philosopher's stone. In many parts of France, and in Switzerland the price of wheat was 85s. the quarter; but under the present system of corn-laws a generally equable price was secured both in this and other countries. If the house should unfortunately listen to this mad project—if this plan of screwing us down by degrees from 10s. to nothing were adopted, the country would not be long in finding out the mistake that had been committed. He could compare this screwing down to nothing but the operation which a surgeon was obliged to perform in applying the tourniquet to a limb, when every turn of the screw was followed by fresh torture to the unhappy sufferer, an operation which was called progressive reduction. The fatal results of this system had been felt in the case of the currency, and he ought to be ex-

cused for wishing to guard against the repetition of similar misfortunes. What was called progressive reduction, he called progressive agony, and he hoped the house would never encourage this species of protracted torture.

The motion was rejected by a majority of fully two to one; 155 voting for it, and 312 against it. Besides the vice-president of the board of trade, Mr. Littleton, the secretary for Ireland, and some others holding office under ministers, voted in the minority.

The subject was again discussed incidentally,—but for three mornings, on the 19th, 20th, and 21st of March,—on the occasion of the presentation of a petition from Liverpool in favour of free trade, and especially of a free trade in corn. The discussion, which necessarily could lead to no result, presented no new feature, except that Sir Robert Peel took occasion to express his opinion, that free trade in corn would be gross injustice to the owners and cultivators of the soil, in consideration both of the peculiar burdens to which they were subject, and the protection which was given to the manufacturing interests. The petitioners, he observed, did not confine themselves to a free trade in corn, but advocated the principle generally; and it was not difficult to see why such an opinion should come from Liverpool; but, would the manufacturers in the large inland towns join in the prayer? The manufacturers would be happy to witness a free trade in corn; but he doubted whether they would agree with the petitioners in the application of the principle to articles of manufacture. The monopoly, with which the agriculturist had been taunted,

was only that sort of protection which was afforded to almost every article of British manufacture, by the imposition of a duty on the importation of articles manufactured abroad. He had made a careful selection of every necessary of dress, as well as many conveniences and luxuries, and found that they all bore a duty for the protection of the British manufacturer. If the agriculturist was inclined to purchase articles of foreign manufacture, he would find, in addition to the price of the article itself, the following duties imposed. If he wanted to wear a pair of foreign boots, the duty was 2*l.* 14*s.*; on a foreign hat it was 10*s.* 6*d.* Upon his linen there was a duty of forty per cent.; upon his woollen, twenty per cent. If his wife wished to wear a silk gown of foreign manufacture, she must pay a duty of 2*l.* 10*s.*; upon gloves, 5*s.* per dozen was imposed; upon porcelain, thirty per cent; upon glass, twenty per cent; and upon gold plate, 3*l.* 16*s.* 9*d.* per ounce. Even his walking-stick was taxed; if it was the plain production, it paid 5*s.* a thousand; but if the stick was mounted, painted, or otherwise ornamented, it paid a duty of twenty per cent. So that, in every case in which the English manufacturer could be affected by the import, a tax was imposed for his protection. The corn-laws were only a similar protection to the farmer.—On the other hand, Sir Henry Parnell took advantage of the same opportunity to declare, that the pretext of the farmers being interested in the continuance of the corn-laws was a gross delusion practised on them by the landlords. The farmer was a person who had to obtain his liveli-

hood by the application of his capital in a particular pursuit—the tillage of land for instance ; his interest, therefore, depended upon the rate of return rendered by his capital, which again depended upon the price of the produce of the land with reference to the rent. If the price fell, or, in other words, if it were reduced by the repeal of the corn-laws, the interest of the farmer must be put to rights, and his losses prevented, by a reduction in the rate of rent. When it was clearly proved that the interest of the farmer depended upon the price of the produce of the land with reference to rent, the farmer must be satisfied that he had no interest in the monopoly of the corn-laws, though the landlord had. The whole community, in fact, was taxed by the corn-laws, for the purpose only of increasing the rent of the landlords. Other members expressed surprise at this doctrine. The farmer, they said, found the capital ; it was admitted to be there ; and was it not to be protected as much as if it had been invested in a manufactory of hats or glass ? Was not the capital of the landlord and corn-grower an important point to be considered ? Was that nothing which required protection ? Was he to suffer the foreign grower to come into the market and beat him out of the field ? According to this, the country would go on well, while the landlords would be utterly ruined.

The shipping interest, too, complained loudly of distress, which they considered to be either caused or aggravated by the admission into our ports of ships of foreign nations on the same terms on which our vessels were admitted into theirs ; an admission which the Crown had the power of con-

ceding, under the 4th Geo. IV., c. 77, commonly called “ the Reciprocity of Duties Act.” On the 5th of June petitions for the repeal of that Act were presented from shipowners and others interested in shipping in Glasgow, North Shields, South Shields, Hull, and Dundee ; from 1,800 seamen of the port of Newcastle ; from shipowners and others in the same place ; from seamen, shipowners, and others interested in shipping in the port of London ; and from Teignmouth, Tynemouth and Exeter. On the same day, Mr. G. F. Young moved for leave to bring in a bill to repeal the 4th George IV. c. 77, with the view, as he said, of restoring to Parliament its constitutional control over all treaties with foreign powers, involving the commercial interests of the British community. The motion was opposed by the ministers ; and was rejected by 117 noes to 52 ayes.

In the course of the session several petitions were presented against the graduated scale of duties on tea, which had been adopted in the preceding session ; and these petitions gave rise, particularly on the 17th and 18th of March, to incidental discussions on the merits of the new system, which, for reasons not very apparent, had become very unpopular among tea-dealers and tea brokers. While the importation of tea was confined to the East India Company, the duty was paid upon the public sales, being ninety-six per cent. upon the lowest class of tea, which was bohea, and 100 per cent. upon all others, according to their respective values, as ascertained by the prices they brought. That duty was assessed by an officer selected by the East India Company, and the money was paid

forthwith into the exchequer, free from all deductions. When that system, upon the opening of the trade ceased to be practicable, two alternatives had presented themselves—a graduated, or an uniform duty; and the government, said the objectors, had, very unwisely, adopted the former. To render a system of graduated duties beneficial, there were, said the objectors, two important requisites. The first was a certainty and facility in distinguishing the different grades of quality, and the second, such an adjustment of duty to the relative value of the various kinds and qualities of tea in the market, as would not destroy the prevailing and free operation of the taste of consumers; for any violent action on prices, occasioned by the imposition of unsuitable relative duties, might alter the course of consumption, even when it did not extensively affect the aggregate quantity consumed, and might thereby greatly reduce the amount of revenue. The graduated scale of duties was faulty in both respects. There was no certainty in distinguishing the various qualities of teas, because the sorts described in the several classes of the graduated scale were not distinguishable by any defined or acknowledged tests. It was not possible for a revenue officer to determine on any well-established ground of confidence the precise difference between bohea and congou, or congou and sou-chong, on occasions when there occurred anything like a close approximation of quality. The scale, too, would interfere with the course of consumption. Bohea, which hitherto paid 96 per cent. was now charged with a duty of 1s. 6d. per lb.; congou, which formerly paid 100 per cent., with 2s. 2d. The difference of the duty, there-

fore, would be 44 per cent.; while the difference of value to the importer (the short price without duty) was from 2 to 6 per cent., and the difference of value in the market of consumption—that value being the long price, having the duties added to it—between the bulk of bohea and congou, was about 10 per cent. Therefore, when

	s.	d.		s.	d.
Bohea sold for ...	1	11	& congou for ...	2	1
Duty 96 per ct. ...	1	10	and 100 per ct. ...	2	1
<hr/>			<hr/>		
Wholesale cost was	3	9	and	4	2
<hr/>			<hr/>		

When

	s.	d.		s.	d.
Bohea sold for ...	1	5	& congou for ...	1	7
The new duty ...	1	6	and	2	2
<hr/>			<hr/>		
Wholesale cost was	2	11	and	3	9

The relative value of these teas for consumption, as ascertained by public sales, was shown in the first statement to be as 50 for congou to 45 for bohea. Then, when congou was worth 3s. 9d., bohea would be worth 3s. 4½d.; and, therefore, bohea, in the hands of the importer, would be worth 1s. 9½d.; when congou was worth only 1s. 7d. The operation of the altered duty would be to make bohea, which was 2 to 6 per cent. cheaper than congou, 13½ per cent. dearer in the importer's, or short prices.

On the part of the ministers, it was stated, that the opinions of practical men had been consulted; deputations from the outports, from the tea-brokers of the city, and gentlemen extensively engaged in the tea trade, had been received again and again; plans for *ad valorem*, fixed, and rated duties had been carefully considered, and the result had been that government thought it most advisable to decide upon the graduated scale of duties. A great change appeared, however, to have taken place in the sentiments of some of the gentle-

men who had given their advice to the government, though it was not possible for them to have obtained more information on the subject than they possessed at that time. The great object of the ministers had been to supply tea to the consumer of the lowest quality at the cheapest possible rate, consistent with maintaining the revenue. It had been said, that the lower orders did not drink bohea; but what had been the state of the importations? From the returns of the East-India sales, it appeared that, in the course of 15, 16, or 17, years the quantity of bohea sold had risen from 500,000lb. to 6,500,000lb. while the quantity of congou consumed had increased in a much lower ratio. It had been stated that, by making so great a difference as 8*d.* in the duty,

it would be found more advantageous to import bohea at even a higher price than congou—the difficulty of distinguishing them being so great. But the difficulty arose only where the qualities of the two articles approached very near to each other. Forty-four different samples had been submitted to tasters in this country when the inquiry was in progress, and, with the exception of two bad hits, the different qualities were most correctly distinguished. The most experienced officers of the revenue had been consulted, and they had declared their conviction that there would be no difficulty in collecting the duties under the new system. It was an experiment well worth trial. It had succeeded in America. These discussions did not lead to any result.

CHAP. VII.

Financial Statement by the Chancellor of the Exchequer—The Navy Estimates—The Army Estimates—The Ordnance Estimates—The Irish Estimates—The Budget—The Reduction of the Four per Cents of 1826—Motions as to Pensions—Motion for the Repeal of the Malt Tax.

SO early in the session as the 14th of February, the Chancellor of the Exchequer presented to a committee of Ways and Means an outline of the financial state of the country, and of his financial plans; premising, however, that it was impossible, two months before the financial year commenced, to enter into minute details, or to fix accurately, the expenditure of the ensuing twelve months. The amount of taxes repealed in 1831 and 1832, was 1,790,000*l.*, and in 1833, 1,545,000*l.* The total amount of taxes reduced in 1831, 1832, and 1833, was 3,335,000*l.* Yet the balance of income and expenditure on the 5th of January last, presented a surplus of revenue larger than on the 5th of April last, and amounting to upwards of 1,513,000*l.*; so that, notwithstanding the continued and extensive repeal of taxes, the surplus had increased through the combined operation of improvement in other branches of the revenue and reduction of expenditure. In addition to this surplus, the estimates of the present year had been reduced by 500,000*l.*, which would raise the surplus, in round numbers, from 1,500,000*l.* to 2,000,000*l.* Besides, he expected a considerable augmentation of revenue, without imposing an additional burden on the country,

from the graduated scale of duty which had been substituted for an *ad valorem* duty on tea. A reduction in the price of tea, must be expected; and then a fixed rate of duty would bear a larger proportion to the price of the article than an *ad valorem* duty, although the amount of tax paid on a pound of tea would not be greater than it was under the old system. When by bringing a larger quantity of tea into the market, the price of the article was diminished, the amount produced by an *ad valorem* duty diminished also; but under a fixed rated duty, any increase in the amount of tea consumed necessarily produced a corresponding augmentation of the revenue. During the next year, instead of 8,000,000*lbs.* of tea, which the East India Company had of late brought to each quarterly sale, it was the intention of government to bring 9,000,000*lbs.* into the market every quarter. The average amount of the tea duty was 3,300,000*l.*, which, by the increased quantity brought into the market, would be raised to 3,900,000*l.*; thus yielding an increase of 600,000*l.* to the revenue, and raising the surplus to 2,600,000*l.* The only additional obligation, which the country had to meet, was the interest of the twenty millions granted to the West-India proprietors; and, after

deducting 800,000*l.* on this account, there still remained a surplus of 1,800,000*l.* Under these circumstances, it was his intention to recommend to the house to reduce taxes to the amount of 1,200,000*l.*; and though, looking at the subject as a simple financial question, there were other taxes which, in his opinion, it was more desirable to repeal; yet as one of the ingredients in the impropriety of a tax was its unpopularity, he thought that the best suggestion he could offer was to repeal the tax on houses. The reduction of this tax would absorb nearly the whole of the surplus; for, after the reduction made in it last year, the remaining portion amounted to about 1,170,000*l.* He did not mean to say that he would not propose a reduction with respect to one or two other items of taxation, though he would not state what he contemplated, in this respect, until he was prepared to bring in a bill. He hoped, however, that if the house should think proper to reduce the house-tax, they would support him in resisting the reduction of any other considerable items of taxation. It was not his intention, at present, to introduce a bill for the repeal of the house-duty: he wished first to see how the questions, of which notice had been given, were met. He would probably be told, that he was giving relief to the trading interest, while he was giving none to the landed interest, the distress of which had been admitted and recognized by the government. He could not deny the force of that statement, and it would be for the house to decide whether it would relieve the country to the amount of 1,200,000*l.* by the repeal of the house-tax, or apply the reduction of taxation to that amount in some

other way. At the same time, he held out to the farmers and land-owners, the prospect of great and substantial relief, by promising them a commutation of tithes, and a new poor-law bill.

Mr. Cobbett expressed his surprise that the chancellor of the exchequer should have made any statement at all; for, to him, it did not appear that there was any good reason why the noble lord should have made one then, excepting it were to stop the house from asking for the repeal of taxation. The noble lord had spoken, to see how many would cheer his statement. He spoke to sound them—to see if they would consent to bear their present burthens, and to ascertain with what feelings they would continue to bear them, for the future. The house-tax was unobjectionable in itself, and was just in principle: and he would not have taken the house-tax off, had he been in the noble lord's situation. Such a proceeding, in a minister, was an encouragement to the people to demand the repeal of taxes; and the noble lord might have remarked that he (Mr. Cobbett) never recommended the non-payment of taxes, either in speaking or writing. The taxes, which the people wanted to have repealed, were the malt-tax and hop-duties.

Sir Robert Peel considered, looking to what had been already done, that the reduction of half a million in the estimates was as much as could be expected, and did credit to the government: and the proposed diminution of taxation was greater than he himself would have ventured on, considering the precarious nature of some of the sources from which the surplus was to be derived. That surplus consisted—first, of an actual ba-

lance of 1,500,000*l.* above the demands of the year:—then, of 500,000*l.* calculated as the amount of the probable reduction of the estimates of the present year, which however, could not be reckoned as permanent revenue; for, different circumstances might arise next year, which might render it necessary to increase the estimates:—and, lastly, of a sum of 600,000*l.* which was to arise from the increased produce of the duty on tea, in consequence of the government bringing 9,000,000*lbs.* of tea into the market at the quarterly sales, instead of 8,000,000*lbs.* But would the public take the 9,000,000*lbs.*, when 8,000,000*lbs.* had been found sufficient for the quarterly consumption of the public hitherto? The noble lord thought a reduction of the price would produce an immense consumption; but, did it not occur to the noble lord, that if the government gained in the amount of the duty, it would lose by the reduction of the price of the tea, which had been transferred to the state by the East-India company, and with its other property, was now the property of the public?

Mr. O'Connell complained, that nothing was to be done for Ireland; and that, of the 1,200,000*l.* to be remitted for the benefit of the nation, not a shilling was to go to Ireland: in other words, England and Scotland were subjected to taxes, from which Ireland was free; injustice had been long done to England and Scotland, in not making the burden of taxation press on Ireland equally with the other parts of the empire: therefore, it was unjust to Ireland to deliver England and Scotland, from a portion of the extra burdens, to which they had been subjected. Absurd, however, as is the

logic of this mendicant demagogue, the vice of his argument is generally outstripped by the baseness of his morality: for his insensibility to the difference between right and wrong, honesty and dishonesty, is on most occasions, not less striking than his disregard of truth and reason. And, accordingly, he told the chancellor of the exchequer to turn to the national debt. "Reduce the interest upon that debt, from three per cent. to two and a-half per cent.; by that means, you will at once save four and a-half millions annually; and then, and not until then, will it be in your power to do justice to all classes of the community, by reducing the house and window-tax, malt-tax, and several other of the taxes, which were most complained of." In former times, such a barefaced recommendation of robbery and rapine would have called forth universal reprobation from the house: and, never till now, did there exist a government, which would have submitted in silence, to the infamy of receiving such advice. But our legislative morality was now brought down to the standard of that of revolutionary France; and the suggestion of the greatest of all crimes—the confiscation of the property of the innocent, by an abuse of legislative power,—was listened to by an English house of commons without calling forth, from any quarter, any expressions of abhorrence, and without being repudiated by any of the ministers.

On the 17th of February, Sir James Graham brought forward the navy estimates. He stated that, since 1831, the reductions, in the navy estimates alone, had been no less than one million; in addition to which, he now proposed an es-

estimate containing further reductions to the amount of 180,000*l.*: so that, in this department of the public service, there had been effected, in three years, on an outlay of six millions, a saving of not less than 1,200,000*l.* The items, to which economy had been applied, were principally in the labour employed in the naval dock-yards. The expensive and complicated system of task-work had been abolished, and payment of daily wages had been substituted. The number of labourers, ship-wrights, and others, had been reduced to 6,000—the number fixed by the predecessors of the present ministers, as a fit complement for a peace establishment: and the wages in the dock-yards had been lowered 90,000*l.*, out of an expenditure of about 400,000*l.* Another saving had been made in the victualling department. Hitherto, in order to meet the probable or possible advance in the price of provisions, a wide margin, as it was called, of ten per cent, had been allowed; but as the cost of provisions had, of late years, been comparatively steady, it had been determined to leave only a margin of five per cent. In this way, together with the low price of all kinds of provisions, particularly corn, 42,000*l.* would be saved. It had been laid down as a rule by the admiralty, before he was in office, that only one promotion should be made for every three vacancies; a strict adherence to this plan had produced a saving on half-pay, since the present administration took office, of 65,000*l.* a year, of which between 24,000*l.* and 25,000*l.* would be saved in the present year. Other small items raised the total diminutions to 181,000*l.*, making a total saving since 1831, of 1,200,000*l.*

The subject of the first vote he proposed was, the number of men for the service of the present year: and here he had made a diminution of 500 men, and an addition of 1,000 boys. He had done so advisedly, and in consequence of the suggestions and discussions of last session, when the attention of the admiralty was called to the fact, that it was of great importance to induce boys to go to sea, for the first time, in the king's service. The men would be 17,500, and boys 1,000; but the cost for wages would not be more than for 18,000 men, though the expense of rations would be as for 18,500, the same provisions being allowed to a boy as to a man.

Mr. Hume, of course, found fault with every thing. The tonnage of the navy, he said, amounted to 325,000 tons; and he thought it doubtful whether so many ships could be required under the present system of naval warfare. But if they were wanted, they might be built in six years. The sagacious member forgot to tell the house, how the naval ascendancy of England was to be maintained during the six years which he deemed sufficient for bringing our navy to its proper strength. He moved as an amendment, "that the number of men be reduced from 17,500 to 15,000." The amendment was negatived by a majority of 196 to 20, and the original motion was agreed to.

The next question put, was "that 104,551*l.* be granted to his Majesty, to defray the salaries of officers, and contingent expenses of the admiralty-office." Mr. Ruthven moved as an amendment, "that the number of the lords of the admiralty be reduced by two, and that the salary of the first lord of the admiralty

he reduced from 4,500*l.* to 4,000*l.*" The amendment was negatived by a majority of 160 to 29, and the original motion was agreed to. The remainder of the navy estimates were voted without a division.

On the 28th February, Mr. Ellice brought forward the army estimates, which, he stated, were the lowest which had been proposed to the house since the union with Ireland. The military force of the country was to be gradually reduced to 70,355 men, by not filling up vacancies. This reduction, however, included but three officers, one of whom was the colonel of the Ceylon regiment, and the other two were second majors of cavalry. The reductions were,—in the cavalry, 580 men; in the infantry, 6,640; and, in the foot guards, 540; by which a saving would accrue of 123,142*l.* per annum. This saving arose principally from the reduction in the number of men in the colonial regiments, from not filling up casualties as they occurred, and from abridging the sum formerly allowed for the table of the guard at St. James's. Another item on which there was a considerable saving, was the staff of the army. Here the expense was lessened by about 2,000*l.*; but the charges for this department appeared on the face of the estimates to be increased in consequence of the transference of some garrison appointments to the staff estimates. The expenses of the war office were lessened to the amount of 4,314*l.* A saving of 3,426*l.* had been effected in the expenses attendant on the royal military asylum and Hibernian school; and the vote for the expenses of volunteer corps had been reduced by 19,139*l.* The latter saving arose from omitting any charge for

the Irish volunteer staff, which had not been called out for the last three years, and from an arrangement for inspecting the yeomanry in quarters, instead of calling out the regiments for permanent duty, by which the pay and maintenance of the horse and man was reduced from 7*s.* to 3*s.* 4*d.* per day, and a saving of 33,000*l.* was effected. In the present year, however, this saving was reduced by 26,000*l.*, being the amount of the additional charge for clothing.

In the expenses for non-effective services, the following reductions were made:—in the unattached pay of general officers, 5,000*l.*; in retired full pay, 4,000*l.*; in half-pay and military allowances, 25,000*l.*; in foreign half-pay and pensions, 5,340*l.*; in the compassionate fund, and allowances for wounds, deducting an increase of 1,656*l.* on widows' pensions, 4,360*l.*; and in the account of Chelsea pensions, 61,898*l.* The actual decrease on the last item of expenditure was only 25,000*l.*; but there was an increase of the appropriations in aid of the charge of about 13,500*l.*, and a saving in a sum voted in former years for commutation. In superannuations, there was a saving of 2,740*l.*; and the exchequer fees, for which credit was not taken amounted to 30,000*l.*

Thus the total decrease of the sums required for effective services was	- - - -	194,930
And for non-effective services	- - - -	104,190

Making in the whole a diminution of	- - - -	£299,120
-------------------------------------	---------	----------

The secretary at war added, that further economical arrangements were in contemplation; such as the transfer of Kilmainham hospital to the board of ordnance as a dépôt for the artillery and engineers

the inmates of the hospital being at their option either admitted in the infirmary or at Chelsea, or ranked as out-pensioners, with additional allowances: the abolition of the board of army comptrollers: the transfer of widows' pensions of the half-pay of the ordnance and commissariat departments, and of the whole commissariat expenditure, to the war office; and the transfer of the whole payment of the ordnance as well as of the commissariat, to the secretary at war, to be conducted through the office of the paymaster-general; so that the whole army expenditure might be paid under one head, and by one establishment. The right hon. gentleman concluded by moving "that a number of land forces, not exceeding 88,952, of whom 7,684 were to be reduced in the course of the year, be maintained for the service of the country, for the year ending 31st March, 1835:" and the motion was agreed to, after an attempt of Mr. Hume to reduce the number of men by 9,000, which was defeated on a division, by a majority of 282 to 46.

On the 21st of March, the ordnance estimates were brought forward by Colonel Maberley. In 1829, there had been a saving, as compared with the year 1820, of 600,000*l.* in the ordnance department; and for the present year the ordnance estimates were 370,000*l.* less than they were in 1829, and 335,000*l.* less than they were in 1830, when the present government came into office. The apparent saving this year, as compared with 1833, on the sums to be expended by the ordnance department, amounted to 257,309*l.*; and the apparent saving this year, as compared with the grants of the previous year, on the sums to be

voted, was 295,309*l.*; but as part of this latter saving was only a transfer to the army estimates of 175,000*l.*, the real saving on the sums to be expended was 82,000*l.*, and on the sums to be voted, 120,000*l.*

Mr. Hume maintained that the apparent reduction of 82,000*l.* was delusive, the greater part of it being referable to stores purchased, and works erected in the former year; and the actual reduction being only 8,493*l.* He objected, however, to almost every item, as either superfluous or extravagant; condemned the whole department as utterly useless; and insisted that all the business connected with it ought to be transferred to the Horse Guards. However, the different items were voted without a division. But, on the bringing up of the report, (March 24) Major Beauclerk moved that the sum of 10,000*l.* for improving the fortress of Kingston, in Canada—8,000*l.* for strengthening the harbour of the Mauritius—and 10,000*l.* for fortifications, at Halifax, in Nova Scotia, should be deducted from the estimates. The Ministers answered that the works at Halifax and Kingston had been begun with the sanction of parliament, which, having the full amount of the outlay before it, had declared the expense should be met by annual instalments. Considerable sums had been already expended, and would be lost, if the works were now stopped. The works at Halifax were necessary for the defence of the harbour, and of the shipping, and would be finished in 1837, if no interruption was permitted to take place. The works at Kingston protected the canal and the internal communications of Canada, and defended the side on which we were most sub-

ject to an attack. Next to Quebec, these works were the most important we possessed in that part of the globe. The fortifications in the Mauritius came recommended to the ordnance, on the principle of economy; for, when they were completed, the garrison might be reduced. Major Beauclerk's motion was rejected by 76 to 22.

The Irish estimates were voted, on the 18th of April, with very little discussion or opposition. The vote for the support of the foundling hospital in Dublin was reduced, with the avowed intention of ultimately abolishing it altogether. The grant to Maynooth college was opposed by lord Mandeville, and some of the Scotch members, but was carried by 137 to 11.

A bill had been introduced by the vice-president of the board of trade for making reductions in the duties on the exportation of coals, and on the importation of currants, prunes, &c. The duties thus repealed, yielded about 200,000*l.* a year. The other financial arrangements of the year were not propounded, till the 25th of July, when the Chancellor of the Exchequer brought forward the budget.

The receipts of the year
ending 5th July, 1834,
amounted to £46,914,586
and the expenditure to . . 44,737,556

leaving a surplus of income
over expenditure of . . £2,177,030.

The surplus of income over
expenditure, in the year
ending the 5th of July,
1833, was £ 1,501,933

So that the improvement in the surplus during the present year had been 675,000*l.*, while the receipts of this year were 46,914,586*l.*, and the receipts of last year

46,895,007*l.*; although a reduction of taxation had taken place to the amount of 1,500,000*l.* The charge on the consolidated fund during the year, ending April, 1835, was estimated to amount to 30,500,000*l.* The supplies had all been voted, except part of the miscellaneous estimates, and amounted to—

For the Army.....	£ 6,497,903
Navy	4,578,009
Ordnance	1,166,914
Miscellaneous	2,228,387

Making in the whole £14,471,213 The supplies for the preceding year were, 14,620,487*l.*; which gave a diminution for the year ending in 1835, of 149,274*l.* In the summary financial statement which he had made at the commencement of the session, he had stated his expectation that there would be a diminution in the votes of supply to the amount of 500,000*l.* The difference between that sum and the actual diminution of only 149,274*l.* was explained by certain payments having become necessary, which could not at that time be taken into the account, and a considerable portion of which had not then been even contemplated. One of these was a payment of 125,000*l.* to the East-India Company, in consequence of an arrangement made under an act passed during the last session of Parliament. Another similar item was the expense of governing the island of St. Helena, which had been taken into the hands of government. The scale of the establishment this year was necessarily that of the East-India Company, and cost 99,000*l.*, which he considered extravagant: next year it would be reduced. A sum of 60,000*l.* had been voted as a gratuity to those who had been engaged in the battle of Navarino,

and 20,000*l.* for the purpose of making an experiment, in order to facilitate steam navigation to India. Besides, there was a vote of 100,000*l.* for pay to the navy immediately, anticipating the payment, instead of deferring it for a considerable period. There was, also a sum of 1,300*l.* for the purchase of some fossil remains for the British Museum, and a vote of 7,000*l.* for the establishment of a prison at Dartmouth, in order to make some experiments on the important subject of secondary punishments. These items amounted in the whole to 412,310*l.*, which more than accounted for the difference between the contemplated, and the actual diminution in the supplies for the present year.

The sum to be provided for the current year was,

For the consolidated fund	30,500,000
And for supplies	14,471,213

Making a total of £44,971,213 :

and if the income were taken at the same amount as it had yielded in the preceding year, there would be a surplus of 1,913,600*l.* But as the money granted to the West-India proprietors was to bear interest from the 1st of August next, the house was bound to provide for it in the expenditure of the year. This would raise the charge to 45,721,000*l.* ; so that, as compared with the income of last year, the amount of the surplus would be only 1,200,000*l.* On the other hand 120,000*l.* was to be received from the bank of England; 50,000*l.* would be saved by the reduction of the 4 per cents ; and the alteration in the tea duties would yield an increased revenue of at least 250,000*l.* ; so that the gross surplus might be taken at 1,620,000*l.*

The Chancellor of the Exchequer next called the attention of the committee to the state of our taxation with respect to spirits and beer. For a considerable time past, great complaints had been made of the increase in the consumption of ardent spirits throughout the country. If, however, he were to increase the duty on spirits, the revenue might neither be increased, nor the consumption of ardent spirits in any way diminished. Upon such a subject taxation could not very well be productive of morality. He had resolved not only to avoid proposing an increase of duty on spirits, but to move a reduction of the duty, for the purpose of putting an end to smuggling. The case was different with regard to the retail dealers, and a change in the price of their licences, would, he thought be highly expedient. At present, the first vender of spirits was not allowed to send out less than two gallons, or to permit the consumption of any spirits on his premises. The charge levied on the retail dealers varied according to circumstances, from two guineas to ten. It was not his intention to propose any alteration in the payment for licences, either as regarded the wholesale vendor or the retailer, who paid for his licence ten guineas a-year. On the others he proposed to effect an increase of fifty per cent., which would add 160,000*l.* to the revenue. As to beer licences, he proposed to establish a distinction between the licences of those retailers of beer who permitted it to be consumed on the premises, and those who did not. At present all beer licences paid two guineas: this impost he would raise to three guineas upon all persons who allowed the beer to be consumed on

their premises, and lower it to one guinea in favour of those who sold beer not consumed on their premises. The change would lead, as he anticipated, to an augmentation of revenue, amounting to 35,000*l.* Thus there would be 160,000*l.* gained on spirits, and 35,000*l.* on the beer licences; and the surplus would amount to 1,815,000*l.*

*The following were the alterations proposed in the small assessed taxes:—

On windows in farm-houses occupied by tenants under 200*l.* a-year, or by owners under 100*l.* a-year, and not having an income exceeding 100*l.* a-year from any other source.—Estimated loss by repeal £35,000

On husbandry horses used occasionally for riding or drawing untaxed carriages by tenants of farms under 500*l.* a-year, or owners, being the occupiers, of farms under 250*l.* a-year, and not having an income exceeding 100*l.* a-year, from any other source (The present exemption only extends to farmers not exceeding 200*l.* a-year and having no other source of income but their farms.)—Rate of duty repealed, 1*l.* 8*s.* 9*d.*—Estimated loss by repeal 10,000

On husbandry horses used occasionally for other purposes or let occasionally to hire. (Husbandry horses are exempt, but are liable to a duty of 10*s.* 6*d.* if used in drawing coal, gravel, &c. or if occasionally let for hire)—Rate of duty 10*s.* 6*d.* Estimated loss by repeal 2,000

On horses used by bailiffs, shepherds, or herdsmen.—Rate of duty, 1*l.* 8*s.* 9*d.* Estimated loss by repeal 2,000

On shepherds' and herdsmen's dogs.—Rate of duty 8*s.* Estimated loss by repeal 3,000

On male servants under eighteen years of age, provided

On the faith of this estimated surplus, the following reductions in taxation were to be made:—

House Tax	£1,200,000
Customs	200,000
Starch	75,000
Stone bottles and sweets	6,000
Almanacks	25,000
*Small Assessed Taxes	75,000

£1,581,000

Surplus £1,815,000

Reductions ... 1,581,000

Surplus.. £234,000

This surplus, however, would be further reduced, for the present at least, by a change which was proposed in the spirit duties. The duty on spirits distilled in Ireland had for several years been fixed at the same amount as in Scotland. That policy was now to be departed from; and the duty on Irish

they have a legal settlement in the parish where hired.—

Rate of duty 1*l.* 4*s.* Estimated loss by repeal..... 20,000

On one riding horse kept by clergymen or dissenting or catholic ministers, whose incomes are under 120*l.* per annum. (At present the exemption is confined to clergymen of the established church with an income not exceeding 60*l.*)—Rate of duty, 1*l.* 8*s.* 9*d.* Estimated loss by repeal..... 3,000

The bachelor's duty (additional 20*s.*) on male servants kept by Roman catholic clergymen,—Rate of duty, 1*l.* Estimated loss by repeal.... 100

On post-horses used occasionally by licensed postmasters in husbandry and for drawing manure, fuel, &c. (An innkeeper is liable to a duty of 10*s.* 6*d.* if he use a post-horse occasionally in drawing coals, hay, or corn for his own use.)—Rate of duty, 10*s.* 6*d.* Estimated loss by repeal..... —

Total estimated loss by repeal £75,100

spirits was to be reduced from 3s. 4d. to 2s. 4d. per gallon. The only pretext alleged for an alteration apparently unjust to Scotland, and not based on a very sound morality, was, that, though the whole quantity of spirits consumed might be increased, illicit distillation would be diminished. To justify this anticipation, the Chancellor of the Exchequer appealed to the following statement of the mode in which the several changes of the rates of duty in Scotland had operated:—

Period.	Imperial Gallons, proof.	Rate of Duty.	Duty.
		s. d.	£.
Average of the three last years } of the old law }	2,158,200	6 2	
Year ending 5th January, 1825	4,334,222	2 4½	
— — — 1826	5,980,941	2 4½	
— — — 1827	3,988,788	2 10	
— — — 1828	4,752,136	2 10	
— — — 1829	5,695,743	2 10	
— — — 1830	5,756,951	2 10	
— — — 1831	5,992,421	2 10	
— — — 1832	5,691,096	3 4	
— — — 1833	5,401,651	3 4	
— — — 1834	5,982,920	3 4	
Year ending 5th April . . . 1834	6,112,059	3 4	1,018,676 10 0
Half year ending 5th April, 1834	3,257,856	3 4	542,006 0 0

It was known, he observed, early in the year ending 5th January, 1826, that an increase of duty would take place from that day, which accounted for the increase in that year, and for the great decrease in the year ending 5th January, 1827.

The like results were exhibited by the returns for the same period, of the quantity of spirits charged with duty in Ireland for home consumption, with the rate of duty thereon:—

Period.	Imperial Gallons, proof.	Rate of Duty.		
		s. d.		
Average of the three last years } of old distillery law }	3,173,948	5 7½		
Year ending 5th January, 1825	6,690,313	2 4½		
— — — 1826	9,262,742	2 4½		
— — — 1827	6,834,866	2 10		
— — — 1828	8,260,663	2 10		
— — — 1829	9,937,633	2 10		
— — — 1830	9,212,222	2 10		
— — — 1831	8,981,595	2 10		
— — — 1832	8,635,081	3 4		
— — — 1833	8,594,331	3 4		
— — — 1834	8,136,281	3 4		
Suppose the quantity to be	10,000,000	at 2 0	Amount.	Amount.
	11,000,000	2 0	£.	at 2s. 4d.
	12,000,000	2 0	1,356,046	£.
	13,560,460	2 0	1,000,000	1,166,666
			1,100,000	1,283,333
			1,200,000	1,
			1,356,046	—

If the duty were reduced to 2s. per gallon, it was not improbable that the quantity charged would be increased to 12,000,000 gallons; the revenue in that case would sustain a loss of only 156,000*l.* in the first year. It would require 13,560,460 gallons, at 2s. to yield the present amount of duty; and at 2s. 4*d.* per gallon, 12,000,000 gallons would produce 44,000*l.* more than the present amount of duty. He expected, that even in the present year, the loss would not exceed 200,000*l.*; and he felt confident that, in future years, this alteration would occasion no loss whatever to the revenue. He was aware it might be objected that there was an obvious inconvenience in making so great a difference between the spirit duties of Scotland and Ireland, and that the consequence might be extensive smuggling. His answer was, that if smuggling was found to prevail to a serious extent, government would do its utmost to prevent practices so injurious to the commerce and to the morals of the country; and if the ordinary means at the disposal of the executive, were not found sufficient for such a purpose, no doubt an assimilation of the duties would be rendered necessary. At the same time, he felt bound to acknowledge that he should have recourse to such an arrangement with the greatest reluctance; the more so, because he would have to relinquish 440,000*l.* per annum, in order to bring both duties to a condition of equality. The Chancellor of the Exchequer admitted that the surplus, which he contemplated, was extremely small, considering the pressing exigences to which a great empire like ours must occasionally be subject; and he should regard it as wholly inadequate to
 et the contingencies of any year

in which the fiscal changes were in the nature of increase, and not of decrease, of taxation. But, looking at the history of recent times, and the buoyancy and elasticity of our present resources, he entertained the fullest confidence that no danger whatever could arise from relying on so small an estimated excess of revenue.

Mr. Baring expressed his opinion, that it was impolitic to trust to so small a surplus, which a variety of contingencies—as for instance, the casualties to which agriculture was exposed—might annihilate entirely. He considered the reductions which had been proposed in the customs, except in the article of oil, as a wanton tampering with the revenue. Currants, prunes, &c. were mere luxuries, and, as such, were legitimate objects of taxation. The removal of the duty on coals, also, he considered impolitic, not only as an useless sacrifice of revenue, but for the injury it might occasion to our own manufacturers, by the facility it was affording to the manufacturers of other countries. He did not suppose that the coal of this country was likely to be exhausted; but it might be so far decreased as to reach a price which would be seriously felt by the people, and greatly injurious to our manufacturers. The noble lord might have taken off the stamp on leases, the duty on insurances of farming stocks, and five shillings from the duty on malt, which would have been a sensible relief to agriculture, and would have been much more beneficial than the repeal of the house tax, which was only a relief to the landlords. The noble lord had attempted to reduce forty millions of stock, and there were five millions of dissentients; and he had not mentioned how he intended

to provide for that sum. He (Mr. Baring) had heard of transactions on the Stock Exchange, by government, such as had never before occurred. The commissioners of the sinking fund had the appropriation of the sum applicable to the reduction of the national debt, and had also the management of the assets of the savings' banks. The several acts of parliament gave them power to deal with these assets as was most expedient; but no one ever dreamed that they were to become jobbers in the funds, in order to assist the Chancellor of the Exchequer in any financial operation. The commissioners, however, had sold 2,348,000*l.* of the stock of the savings' banks, for the purpose of enabling the noble lord to carry on his operation for the reduction of the four per cents. He charged the noble lord, first, with jobbing in the funds with the stock of savings' banks; and secondly, with doing this in the dark. On all former occasions, the commissioners of the sinking fund gave public notice of their transactions; but in this case there was no notice. Any person in his confidence, who knew when he was giving directions to sell, might make a fortune by it. He knew an instance of a clerk in the treasury, who, by knowing the financial intentions of the government, left a landed property of 10,000*l.* a-year to his family.

The chancellor of the exchequer replied, that the gain on the sale of the savings banks' stock amounted to 118,877*l.*; and that it was of considerable advantage that the commissioners of the banks should have been able to take, as they had done, stock of the dissentients, to the amount of 2,500,000*l.* Upon this, Mr. Baring

observed, that the money realised by the sale of stock at 95 or 96, had been invested in exchequer bills at par. Now, exchequer bills bore interest at the rate of 1½*d.* a day for 100*l.*, while the savings' banks were obliged to pay 2½*d.* a day interest on the deposits; so that the noble lord would be the greatest conjuror that ever existed, if he could prove this transaction to be a gain to the savings' banks.

Mr. Herries added, that if the noble lord had made a profit on the first operation, he had lost it in the second; for, he could not see how any gain could be made by selling stock at 95 or 96, and re-investing the money at 100.

The resolutions proposed by the Chancellor of the Exchequer were adopted by the house.

The operations of the commissioners of savings' banks, which had been referred to in the discussion on the budget, arose out of the plan which the government had brought forward for the reduction of the 4 per cent. annuities, created in 1826. This plan was announced to the public on the 7th of May; and on the 9th, was expounded by the chancellor of the exchequer to the house of Commons. The principal details of it were the following:—All holders of the stock, commonly called '4*l.* per cent. annuities, 1826,' who should not signify their dissent, were to have for every 100*l.* of that stock of new 3½ per cent. annuities, the dividends upon which should be payable on the 5th of July in each year:—These new 3½ per cent. annuities were to be added to, and consolidated with, the existing new 3½ per cent. annuities, and were not to be liable to redemption until the 5th of January, 1840:—The holders of

4 per cent. annuities, 1826, were to receive the half-year's dividend due the 10th of October, 1834; and one quarter of a year's dividend was to be payable upon the new $3\frac{1}{2}$ per cent. annuities on the 5th of January, 1835:—Books were to be opened at the Bank of England, from the 8th of May to the 28th of May, both days inclusive, for receiving notices of dissent:—Persons out of the United Kingdom during the whole of that period might express their dissent at any time before the 6th of July, 1834:—and persons in any other quarter of the world, except Europe, might express such dissent at any time before the 1st of March, 1835.

The dissentients were to a greater amount than had been anticipated. The number of persons who had expressed their dissent before the 9th of June was stated, by the Chancellor of the Exchequer, to be 969; and they held 4,600,000*l.* of 4 per cent stock. In order to provide the funds necessary for paying them off, a resolution was passed on the 9th of June, that the commissioners for the reduction of the national debt, should make the necessary payments to the dissentients, out of the monies, stocks, or exchequer bills held by them under the savings' banks act; and that the dissented stock should, from the 10th of October following, be deemed to be converted into an equal amount of new $3\frac{1}{2}$ per cents, which were to be vested in the commissioners, and placed in their names in the bank books to the account, entitled, "the funds for the banks of savings." A similar clause was introduced into the act, 4 and 5 William 4. c. 31, for carrying the scheme into effect.

On the 10th of October, the reduction was completed without difficulty.

On the 18th of February, Mr. D. W. Harvey moved for a select committee to inquire into the grounds on which the several pensions on the civil list had been granted. Lord Althorp, without undertaking to defend all the grants, met the motion by an amendment, reciting the reductions which had been made in the amount of the charge for pensions, and the various acts which regulated them, and declaring it to be the duty of ministers to guard against the misappropriation of the fund. The motion was negatived by 190 to 180. On the 5th of May, Mr. Harvey renewed the subject, by moving that an address might be presented to the crown, praying an inquiry into the pension list. Mr. Strutt moved, as an amendment, for the appointment of a select committee to ascertain the nature and extent of any abuses which might have occurred in the granting of pensions. The original motion was negatived by 390 to 148; and the amendment, by 311 to 230.

Among the financial affairs of the year, a motion ought to be noticed, which Sir W. Ingleby brought forward on the 22nd of February, for taking into consideration the propriety of the total or partial repeal of the duty on malt. To compensate for the 4,845,000*l.*, which would thus be lost to the revenue, he proposed taxes on gambling houses and titles, and additional taxes on gin and foreign wines. The motion was opposed by the ministers, and was rejected by 271 against 170.

CHAP. VIII.

Bill for the Removal of the Civil Disabilities of the Jews—passed by the Commons—rejected by the Lords—Rejection of a proposition for Repealing or Modifying the Laws by which Members of the House of Commons, accepting certain offices, vacate their Seats—Motion for Shortening the Duration of Parliament—Motion for Amending those Clauses of the Reform Bill, which require the Payment of Rent and Taxes as a previous qualification for the exercise of the Elective Franchise—Bill to prevent Bribery in Elections; the Amendments of the Lords rejected by the Commons—Bills to Disfranchise Warwick, Hertford, Stafford, Liverpool, and Carrickfergus; none of them pass the Lords—Lord Warwick's Statement—Issuing of writs to Hertford, Carrickfergus and Warwick, suspended—Money supplied by the Secretary of the Treasury, for the purposes of the Colchester Election—Lord Brougham's Case of Breach of Privilege—Breach of Privilege occasioned by the Musical Festival.

MR. Robert Grant again brought in a bill for removing the civil disabilities of the Jews. The second reading was opposed by Mr. C. Bruce, on the ground that the bill would unchristianise the legislature of the country. It was a dangerous proposition to declare it lawful to admit to high official situations a class of men, however respectable they might otherwise be, who were not only indifferent, but bitterly hostile, to Christianity. The motion rested entirely on the assumption, that religious and civil rights may with propriety and safety be separated; while the history of the world, and especially that of France towards the close of the last century, proved that religion was inseparable from good government in every well-ordered community. Besides, the Jews were aliens, divested of those national feelings and uninfluenced by those natural prepossessions, which alone could entitle them, as British subjects, to participate in the enjoyment of

British rights. He moved that the bill be read a second time that day six months.

Mr. Petre supported the measure on the general principle, that religious opinions should not be allowed to operate as a civil disqualification against any class of men. It was improper and impolitic to interfere with the mode of worship or religion of any man, so long as he was loyal to his sovereign, and obedient to the laws of the land. He regarded civil disqualifications on such grounds, as so many instances of odious and unjustifiable intolerance. — Mr. Poulter supported the bill, because he thought that no religious belief, consistent with the peace of civil society, should be a ground of exclusion from civil privileges. The instances of France, Holland, and the United States, shewed that Jews might be good subjects, and that they were perfectly competent to discharge the civil and military functions of a state. The constitutional prin-

ciple recognised in the fact of Christianity being part of the law of the land was said to prohibit the removal of any disabilities, real or imaginary, under which the Jews laboured. Such a principle, however, had never been established as the law of England, and any allusion to it was to be found only in the casual remarks that might have dropped from the bench in cases of libels on Christianity. It had been too long the object of certain parties in this country to connect with the civil government, not a profession of the general principles of Christianity, but an adherence to the principles of the established church—an object which would be unattainable, so long as all shades of religious opinion should continue to be found among the members of a legislature.

Sir Daniel K. Sandford, on the other hand, supported the proposition for rejecting the bill, which he denounced as the offspring of a false liberality. This was a Christian legislature, giving a Christian sanction to the laws which they enacted, and bound to abstain from every measure which might remove that sanction or desecrate those laws. Christian charity could not possibly demand the concession of political privileges; and he objected to the admission amongst them of those who despised the sacred volume upon which the members of that house pledged their most solemn obligations. Mr. Buckingham thought that Jews were entitled to all civil franchises, including the right of sitting in that house, so long as they were not exempted from taxation and other civil liabilities. The amendment was lost. The bill was carried through committee by

large majorities, and was read a third time, and passed, on the 11th of June, by 50 votes against a minority of 14.

In the house of Lords, the marquis of Westminster took charge of the Bill. The second reading having been moved on the 23rd of June, the earl of Malmesbury moved the amendment, that it should be read a second time that day six months, on the same grounds which had been stated by its opponents in the lower house. He could not allow individuals, who deemed the author of the Christian religion an impostor, to become an integral part, and much less a paramount body in the legislature of this country. Jews could not on principle attend to parliamentary duties on any Saturday, and this might induce them to attempt interference with the Christian Sabbath. If Jews were once allowed to sit in parliament he did not see why Mahometans should be prevented from legislating for the people of England.

The earl of Winchilsea, who seconded the amendment, said that the Jews in this country were, as a body, perfectly indifferent to the question which was agitated by a certain party, who found, in the present situation of the Hebrew people, a stumbling block in the way of their attack upon the Christian religion. He considered the relative numbers of the Jews resident in this country a matter of little consequence; for the paucity of their numbers was no good reason for withholding from them any right to which they could establish an equitable claim. But as our laws were founded on, and interwoven with, the Christian religion, it would be worse than

d to introduce into parliament y of men who scoffed at the e power whom their lordships invoked to watch over and their councils. He would uly relieve the Jews from practical grievance; but he

not consent so far to un-ianise the legislature as to t to its deliberations a class of by whom, he feared, many bers of both houses of par-ent allowed themselves to be entally duped.

ie archbishop of Canterbury ssed his surprise that such a ure, instead of being allowed main at rest for a few years, een brought forward so soon a decision had been given st it last Session. However other objections to the ure might appear, one, found- a religious scruples, was, in mind, insuperable. It would degradation to a Christian ment to allow Jews to legis- for a Christian community. e was not the slightest resem- e between the case before the e, and that of the Catholics;

whatever might be their liar opinions on points of doc-, did not, at least, disbelieve divine essence of the founder r religion. The character of ountry depended, in a great ure, on the character of the lature; and, at the risk of g considered bigotted and su- itious, he believed that as the ings of providence had de- led upon this country in con- ence of the establishment of hristian religion, so they might withdrawn from us, if we at- ted to shake its foundations. danger could be averted, no t could be gained by conces-

He had reason to know, that

not a few very influential Jews themselves entertained consci- entious objections to the present measure. They should be left to the quiet prosecution of their avo- cations under the mild and bene- ficent laws of this country.

The earl of Bexley and the earl of Radnor were friendly to the bill. The latter held that Eng- land would not be less a Christian country, were Jews admitted to her legislature. If, as was sometimes argued, it had been ordained by Heaven that the Jews were to re- main for a certain time a standing miracle, no regulation of policy, which might be adopted, could possibly interfere with the arrange- ments of providence. Though Christianity was the law of the land, he denied that all our legis- lative enactments were founded on Christianity. An act of this kind would be no more inconsistent with Christian principles than any regu- lations affecting the currency, or the regulations of our army and navy. On a division, the bill was lost by a majority of 92; 130 peers voting against it, and only 38 in its favour.

The increasing unpopularity of ministers had exposed them to great inconveniences from the statutory rule of the constitution, which requires, that any member of the house of Commons, who accepts certain offices under the crown shall vacate his seat, and take his chance of being re-elected. In more instances than one the candi- date thus stamped with the ap- probation of the government, had not been re-elected; even the attorney-general, having by his promotion, vacated his seat for Dudley, had not been able to se- cure his re-election, and was not in parliament. Before making

changes in the occupancy of offices, it was necessary to consider not only the fitness of persons, but the chances of their being re-elected. It probably was this state of matters which induced Sir Robert Heron, on the 1st of May, to move for leave to bring in a bill to obviate the necessity of members vacating their seats on their accepting certain offices under the crown; but he stated that he did so without the knowledge or concurrence of any member of his majesty's government. The practice, as it at present stood, had been settled by statute.* He argued that, prior to the passing of the reform bill, it was necessary that the people should have it in their power to exercise an influence over the crown in the appointment of its ministers; but now that the system of representation had been so much improved, he thought such a check not only unnecessary, but embarrassing to the free exercise of the royal prerogative. The decisions of the people were frequently rash; and the object of his measure was to guard against the evils of any temporary excitement on the part of the constituencies. No man, who accepted office, could now be certain of being returned to parliament, unless the general policy of the ministry happened to be in accordance with the sentiments of the people. At no period of the history of England did ministers represent popular places. On the contrary, from the days of Sir Robert Walpole down to those of Lord Lansdowne, they had represented constituencies which were nearly, or altogether, under the control of individuals. Even Mr. Canning resigned the representa-

tion of Liverpool, as soon as he became an efficient minister. However useful, therefore, the rule might have formerly been, it was obvious, from the changes which had lately taken place in the constitution, that under such a system, the administration must be the slave of every violent and sudden change in the sentiments of the people. There remained now but very few boroughs in which individuals possessed such a preponderating influence as materially to assist a candidate. The officers he would include in the bill were, the commissioners for executing the office of lord high treasurer, the commissioners for exercising the office of lord high admiral, the chancellor of the exchequer, the secretary of state for foreign affairs, the secretary at war, the president of the India board, the president of the board of trade, the secretary to the admiralty, the secretary to the India board, the master general of the ordnance, the chief clerk of the ordnance, the storekeeper general, the paymaster general, the attorney general, the solicitor general, the chief secretary to the lord lieutenant of Ireland, the attorney general for Ireland, the solicitor general for Ireland, the lord advocate of Scotland, the military secretary to the commander in chief. He would except the stewardship of the Chiltern Hundreds, and the Hundred of East Hendred; and he did not intend that the bill should come into operation, till after the next general election.

Mr. E. L. Bulwer was dissatisfied with the proposition submitted to the house, because it failed to remove the worst dangers of the present system. The principle of the constitution was, not that the

* 6th Anne, and 41st George III.

should choose ministers, but they should have an opportunity of deciding, whether or not wished their representatives come ministers, and this would entirely destroy. There are other evils and inconveniences which it did not meet—the local inconvenience, for instance, of losing the services of men of talent and experience just at the time when their powers and talents might be turned to greatest advantage. Neither could it remove the evils arising from the public inconvenience of the counsels of able men, or an undue preponderance in the cabinet of the agricultural interest, from consulting the wishes of particular constituencies to the neglect of the general interests of the country, and from the many temptations held out to corruption. But a plan which would meet all these emergencies would be, to allow ministers to have seats in virtue of their official positions. There could then be no local or temporary causes for selecting as ministers the wrong men; the balance of interests in the cabinet could be, at any time, adjusted; there would be a complete exemption from the undue influence of particular constituencies, and every excuse would be removed for the existence of rotten boroughs. There should be in the house one organ of each of the principal departments of government, and one law officer of the crown. So long, however, as they have seats only *ex officio*, they should not have the right of voting. There might be no objection to the house availing itself of the advice and information of an officer of state, in matters of legis-

lation and finance, but he ought not to be allowed to vote on subjects affecting the interests of people by whom he had not been elected. By this, or a similar measure, every rational objection to the abolition of close boroughs might be obviated, and a system of able and united government commenced. The persons, or rather the offices, which he should desire to see represented, were the principal secretaries of state for the home, foreign, and colonial departments, the secretary at war, the secretary to the admiralty, the president of the board of trade, the president of the board of control, the chief secretary for Ireland; and, as it might be found necessary to refer occasionally to the law officers of the crown, he considered it would be an act of wisdom, as well as of charity, to include the solicitor or the attorney general. He accordingly moved as an amendment, “that for the convenience of the public service, and the promotion of the public interests, it is desirable that one member of each of the principal departments of state should have a seat in that house, but without the privilege of voting, unless returned by the suffrages of a constituency.”

Dr. Lushington and Mr. Ward opposed both propositions, which went, they said, to deprive the people of one of the most valuable privileges conferred by the constitution. These measures consulted merely the convenience and safety of the party at present in power, and had originated simply in the circumstance of a lord of the treasury, and an attorney-general, having failed in their attempt to be returned for the places which they had been under the necessity of vacating on their accepting office. The great

object of the reform bill had been to cement the union between the people and their representatives. The man who did his duty honestly in that house, could not fail to enjoy the confidence of his constituents, and his reception by them would be, at all times, precisely according to his deserts. The proposal to have men in the house who should be responsible only to the crown, was even more objectionable than the original motion.

Lord Althorp, after assuring the house, that this subject had been brought forward without the sanction of government, said, that an unnecessary degree of importance had been attached to both of the propositions, neither of which seemed to him to involve constitutional principles. The power of re-electing, or refusing to re-elect a representative on his taking office, had been first introduced in the reign of queen Anne, and was the result of a compromise between two adverse parties, one of which proposed, that ministers of the crown should not be allowed to sit in that house. The amendment certainly did involve a great constitutional principle, and in this it differed widely from the original motion, which, if he were to give his assent to either, he would most certainly prefer. The original motion did not propose to deprive the people of their control over their representatives in the event of their accepting office: it only went to provide that, at future elections, men should know that they elected members on the understanding that, by accepting office at any future period, they did not necessarily vacate their seats. He admitted that this would deprive the people of a valuable privilege; and the real question for

the house was, whether the existence of the privilege produced so much inconvenience as to justify its abolition. He did not hesitate to say, that, under the present system, government, in consequence of what had lately taken place, had been subjected to great inconvenience, especially by the failure of the attorney-general to be re-elected. But, on the whole, he did not think the time was yet come, when a measure, like that now proposed, should be pressed upon the house.

Sir Robert Heron consented to withdraw his motion, and Mr. Bulwer, the amendment.

On the 15th of May, Mr. Tennyson submitted a motion for leave to introduce a bill to shorten the duration of parliaments. He had hoped ministers would have brought this question under the consideration of the house, as the objection taken to it last session by the noble chancellor of the exchequer had reference only to the unfitness of the time at which it had been then introduced to their notice. The triennial act had been a compromise between two parties, the one of which demanded annual parliaments, while the other contended that a power ought to be vested in the crown of continuing the existence of parliaments to an indefinite period. From the reign of Henry VIII., down to the Revolution there were forty-two parliaments, and these, with the exception of sixteen, existed for less than one year each. He thought the period of three years quite sufficient to dispose of any business for which parliament might be assembled. No parliaments had been more distinguished for sound legislation, than those which had been called together under the triennial

Without contending specifically, however, for triennial parliaments, he should merely propose to prolong the present period of duration, for the purpose of bringing the question fairly before the House. Such a measure as he suggested, had already been considered one of the objects of reform. Earl Grey in 1797, pronounced it to be the necessary consequence of improvement in the system of representation. Certain men, indeed, strenuously advocated such a measure as this, so as to preserve the borough influence prevalent in all reasonable hopes of success; and now, when the appeal to the people would be answered, with singular inconsistency, they vehemently oppose it. He asked for leave, therefore, to introduce a bill for shortening the duration of parliaments, reserving to himself the power of suggesting to recede to the period to which they had formerly extended, when the measure should come into committee.

Edward Codrington seconded the motion, stating that he preferred the term of five years to that of three, as being more likely to reconcile the different parties.

Colonel Davies opposed the motion as being premature, highly expedient, and, if carried into a law, likely to prove detrimental to the despatch of business, and subversive of the independence of parliament. He could not conceive that such a question should be introduced after the wholesome change that had been effected in the representation of the country. A considerable time should be allowed to elapse, that the consequences of change might be exactly ascertained. Although more than a proportion of the adherents of

administration had been returned, it by no means followed that such would be the result of future elections. In point of fact, they already had triennial parliaments; for since the union, they had not exceeded in duration three years and thirty-six days. Besides, the frequency of elections, that would take place under the triennial system, would necessarily lead to the hindrance of public business from the ignorance of new and inexperienced members. The frequent occurrence of elections would, likewise, be a source of popular demoralization. In the abuse of all demand for change on the part of the people in reference to this question, he wished to give the reform act a fair trial, instead of venturing upon a doubtful experiment.

Lord Dalmeny thought, the passing of the reform act the strongest possible reason against entertaining such a question as that now before the house. Some members seemed to attach much importance to the principles of the representative part of the government in 1694; but there was not the slightest analogy between the circumstances of that period and the present. Our ancestors, at that time, foreseeing the dangers that were approaching the rights and liberties of the people of England, provided against the danger, but never intended to create any provision for the political condition of England at the present day; because they could not possibly have contemplated the various and complex duties which parliament had now to perform. It was most important to bear in mind how short a period even the space of five years was for requiring a competent knowledge of the business of that

house, and the inconvenience that would arise from the triennial influx of inexperienced members into the legislature of the country. The only result insured by the establishment of triennial parliaments would be that of uncompromising submission to the dictates of a popular constituency. Such a measure would lead to more sordid corruption than could possibly be accomplished by the influence of the crown. While he admitted that public opinion, when deliberate and well-considered, ought to have influence with the house, he wished to avoid a system which would destroy its wholesome tendency. If the members of parliament were to become mere delegates, then popular passion and prejudice would be their only rule of action. He had yet to learn that the present members were so slow in acknowledging their obligations to their constituents, and so reluctant to discharge them, as to require the near prospect of another election to incite them to useful exertion. Such an imputation was unworthy the honour and patriotism of the house. If any attention had been paid to the crude prejudices of the multitude, the measure of Catholic emancipation would never have been conceded. The effect of triennial parliaments would be, that the candidates would become the mere slaves of the caprice and importunity of the multitude; the morals of every constituency would be, ruined by scenes of unceasing political excitement; and the business of that house would, from the inexperience of its members, no longer be efficiently conducted. During the days of triennial parliaments, a considerable proportion of the acts passed related entirely to the corruption of the

parliament itself; and if such a system were again resorted to, it would be impossible to distinguish between sound public opinion and the senseless clamour of the mob. The question submitted to the house was one merely of probabilities, and he was not prepared to assent to so material a change for the chance of gaining any speculative advantage.

Mr. Ewart considered all analogical reasoning in a case like the present unsatisfactory. The reform act could have a fair trial only under triennial parliaments. The bond of sympathy established by that act between the people and their representatives was necessarily incomplete, so long as that house remained for seven years independent of the suffrages of their constituents. Septennial parliaments might possibly have been productive of public advantage at the period of their establishment, in consequence of the great body of that house being divided into two parties; the one of which was under the influence of the aristocracy, and the other at the command of the treasury. But the working of the British government and the character of the legislature had, since that time, undergone material alterations. The present period, from the absence of all political agitation or excitement, was peculiarly favourable to the proposed change; and he, therefore, had no hesitation in supporting the motion.

After a few desultory remarks from Mr. Buckingham, Sir D. K. Sanford said, that as the motion brought before the house was unrestricted, he should support it, although he was opposed to triennial parliaments. He avowed himself an advocate of quadrennial parlia-

ments, and he believed that, if the period of the existence of each parliament were limited to four years, the average duration would be triennial. So far from the people being indifferent to this question, there was, in his opinion, no subject on which they were more desirous of having the opinion of those who represented them. It had been admitted, that there was some excuse for the passing of the triennial act in the reign of William 3rd, inasmuch as the people had just then emerged from despotism, which was precisely the case with the country since the enactment of the reform bill. He saw no reason why a bill, which had been passed at an earlier period of our history, as a corollary to the emancipation of the people from a monarchical despotism, should not, in like manner, follow the reform bill: So far from the people having been, as had been maintained, adverse to Catholic emancipation, the minister, who proposed that measure, admitted that he did so in compliance with the wishes of large and commanding constituencies. He did not think that members of parliament should be merely delegates; on the contrary, every representative should enter that house an independent man, and ought not, on any account, to be bound down by pledges to a line of conduct which he might afterwards have reason to consider incompatible with the general interests of the nation. Still he was of opinion, that triennial parliaments would have the effect of rendering members more independent. The people investigated the motives and scrutinised the character of every man who became a candidate for their suffrages. Many members had taken their

VOL. LXXVI.

seats in that house, whose usefulness was annihilated in consequence of their having been returned to parliament, fettered in their opinions by pledges. To restore, then, the confidence which ought to exist between them and their representatives, let them renounce the prolongation of their parliamentary existence, and return their trust into the hands of the people. Every one who supported the present motion would, on any future occasion, go back to his constituents with the certain prospect of their approbation. For these reasons he felt himself bound to support the motion before the house.

Mr. James, without stating to what period parliament should be shortened, or whether they should be shortened at all, gave it as his opinion, that one-third of the members of the house of Commons should retire annually, and that the names of such individuals should be decided by ballot. This, he thought, would be a most effectual improvement, and, besides saving the trouble and expense of triennial elections, and allowing the public business to proceed without interruption, it would be attended with many other advantages which he did not condescend to specify.

Lord Althorp admitted that he had, on several former occasions, voted for shortening the duration of parliaments. His reason for having done so repeatedly, was, that, at that time, he had no prospect of carrying such a measure of reform as that which had since become the law of the land. A large proportion of the members of that house had been merely the nominees of individuals, and he, therefore, thought that the power of the people should be brought to bear more frequently

[X]

on those who were not so nominated. But he did not think it desirable to have members of parliament dependent on every temporary opinion of the people. He would have them sit for such a length of time as might enable them to regain, by one act, the confidence which they might have lost with their constituents by another. In every vote there was a deference shown by the members to the known opinions of their constituents, which, without amounting to absolute responsibility, showed that the influence of the people was as great as could reasonably be desired. History had nothing to do with the question, except in so far as it was corroborated by expediency. The present state of the representation was such as to render the influence of the people on their representatives, precisely what was desirable for the country. He believed the people of this country did not generally wish that their representatives should act as delegates, and sacrifice implicitly their own honest judgment. They selected persons whose principles were in accordance with their own, and were satisfied to trust to the discretion of their members. He estimated highly the advantages gained by the reform bill; but still he could not perceive any similarity between the state of the country prior to the enactment of that measure, and the condition of England during the reign of Charles II., or James II. The circumstance of the average duration of parliaments never having exceeded three years, was no proof that, if they were legally reduced to that space, such would continue to be the period of their actual existence. It could not be disguised, that the effect of septennial parliaments was

to increase the influence of the crown; but still he did not think that, in the legislature, the crown had too much power, or the people too little. Frequent elections would cause great interruption to public business; and he saw no necessity for adding to the control of the people over their representatives. If it were intended that such control should be complete and unlimited, let annual parliaments be at once established as being more likely to attain the object in view. Unless some practical evils were proved to result from the present term of parliaments, he would not exchange it for any shorter period.

Mr. O'Connell thought, that as they entered that house to do the business of the people, they ought, at all times, to consult the wishes of the people, who should likewise have it in their power to exercise a salutary control over their representatives. The influence of the crown had been gradually increasing by having, at its disposal, many civil and military offices, and, in these circumstances, the people ought to have a more direct authority over their representatives, who held their situation in that house as a trust, and, if held too long, might, like many other trusts, be considered and used by them as their own property. Although he thought triennial parliaments too long, he was reconciled to that term from our having a precedent for it in good times. On the principle that short accounts make long friends, he supported the motion.

Mr. Stanley admitted, that this question had neither novelty nor variety to recommend it to the notice of the house. When it had been last under discussion, a number of petitions had been presented expressive of the wishes of

different bodies of the people, for the enactment of some measure to shorten the duration of parliaments ; but now there was not on the table of the house a single document in reference to the present question. Before any proposition for shortening the duration of parliaments could be listened to, it must be shown that the people were enduring a great practical evil which ought to be remedied, and to which, as other remedies had failed, it was necessary that something new should be applied. Never was argument so contradicted by history as that which made triennial parliaments part of the English constitution. If they were part of it, how long had that constitution lasted ? Are we to consider the constitution that existed during the twenty-two years of triennial parliaments which had been referred to, as the only constitution of the country ? He was not contending for the right of the parliament, which existed in the year 1716, and which had been elected only for three years, to prolong its existence to seven ; all that he was now considering was, whether triennial parliaments were demanded by the constitution, and he had no hesitation in affirming that they were not more so than quinquennial or septennial parliaments. No valid conclusion could be drawn from the average duration of different parliaments that had been detailed to the house ; for the necessity of representatives leaving their homes, and resorting to the parliament chamber at London had been, in former times, attended with so much practical inconvenience, that it had been questioned whether the right of sending members to parliament was a benefit or a grievance. Under the old

law and constitution, parliament once assembled could be kept together for any period not exceeding the life of the reigning monarch. One parliament during the reign of Charles II., had sat for seventeen years. In short, with regard to their duration, the constitution sanctioned no one period more than another. The real constitutional control which the people had over the parliament consisted in their having the power to prevent the trust reposed in their representatives from being abused. Members of parliament were not yet delegates, nor did they exercise their rights under powers of attorney ; they held their seats, because their constituents had a confidence that their interests would be faithfully and honestly represented. Possessing, as he did, the seat which he held in that house, from the knowledge which he had of his constituents, and which they had of him,—possessing his seat upon terms which were understood to be, that he should blend their interests with those of the empire at large,—he should not so much consider, whether he was wiser than his constituents, as whether the measures which he supported were calculated to promote their interests and those of the empire at large. No man could entertain feelings of greater respect than he did for the respectable body of Dissenters in this kingdom ; but it was the duty of the house to ascertain how far the interests of the different classes of the community could be maintained with safety to the general interests of the empire ; to consider whether their demands were just, reasonable, and practicable ; to weigh the expediency of the various demands that were made ; and nothing could be mor

jurious to the state, than to send parliament back in the heat of disappointment to the disappointed body, with a view to be catechised regarding the fulfilment of the most capricious demands at the expense, perhaps, of the general interests of the empire. While he had great confidence in the good sense and good feeling of the country, it could not be concealed that there were moments of excitement, when their prejudices and their passions were too strong for their judgment, and when repudiating their best friends, they rashly took up with those who were the loudest pretenders to patriotism and public virtue. He had never been a supporter of the doctrine of triennial parliaments, and he therefore felt himself at perfect liberty to oppose any motion for their restoration. To say that the reform bill had not diminished the power of the crown and the aristocracy, and that it had not made the legitimate influence of the people more distinctly and sensibly felt in that house, was an assertion so bold and so rash, that he had scarcely expected to have heard it uttered in the hearing of the commons of England. The septennial act had been introduced as a great measure of state under a pressure of circumstances which threatened the existing dynasty, if not the monarchy itself. It was justified by that pressure and by that alone. Nothing else could have been a palliation for its introduction. But whilst he admitted that a parliament elected for three years only, had no right to prolong its own existence beyond that period, yet it might be justified in prolonging the duration of the parliaments which were to succeed it. In the year 1734, Sir William Wyndham

contended that it was absolutely necessary to the restoration of the purity of the house, that the repeal of the septennial act should immediately take place. It could not, however, be argued now, as it had been maintained then, that it was right and expedient to diminish the duration of parliament from seven years to three, because a man, by obtaining a seat in parliament for 1,500*l.*, and getting a pension of 500*l.* a-year for seven years from ministers, could pay his expenses and pocket 2,000*l.* At that time votes were the subject of barter and sale. The argument in support of the present proposition amounted to this ; that to diminish the temptation to bribery and corruption, the term of service in parliament ought to be made so short, that the price which any minister might offer for it, should not be equal to the sum necessary for the purchase of the representation of the borough. There was, however, nothing in the present state of the representation to justify the charge that the members of the house of commons were so unprincipled and base, that the power of the crown was so overwhelming, and still greatly on the increase, that the number of placemen was so enormous, that the mass of naval and military officers was so overpowering, that, to prevent jobbing, the duration of parliaments must be shortened.

Supposing the septennial act were repealed, with what period would the advocates of such constitutional doctrines be satisfied? One would, no doubt, be pleased with the triennial bill, which had been called the ancient and genuine constitution of the realm, while another would introduce his favourite project of a quinquennial bill,

and the member for Paisley would advance with what he called his "ultroneous proposition," and humbly recommend quadrennial parliaments to the favourable notice of the house. Each, in short, would have his own particular theory for purifying the representative system. Only let the house consider the contradictory propositions which had been already suggested on this very point. The right hon. member for Lambeth said, that the present duration of parliament was too long. "I fully concur with you," says another member, "I will consent to shorten it to five years;" "No!" exclaims a third, "you do nothing unless you shorten it to three years." "Three years," interrupts the member for Paisley, "that is too short a period, the gloss is not worn off us—take my "ultroneous proposition,"—give us four years, and then you will hit a proper medium;" while a fourth insists on having biennial parliaments, that during the first year members may have a clear recollection of all that passed at the hustings, and in the latter, a lively anticipation of what is approaching. In this last case it would be absolutely impossible for any member to discharge his duty, he would not merely say conscientiously to himself, but even usefully to his constituents and his country. Not one of these systems could, in any circumstances, be suitable to this country. Men of rank, character, and independent fortune, would not submit to the degradation of being thus made subservient to the caprice of others in the discharge of their parliamentary duties. Such a system would not be tolerable, or, if it were so, would utterly destroy the authority of the house

—would, by making it the organ of the popular will, and not of the popular judgment and reason, prevent any minister from conducting effectually the affairs of the empire—would bring it inevitably into collision with the other branches of the legislature—and would ultimately expose parliament to contempt, and the monarchy to ruin.

For these reasons he deprecated the motion, as being an abstract proposition leading to no useful result; and he hoped that the house would not consent to the introduction of a bill which rested neither on sound theory nor constitutional practice, which professed to conduct to no fixed or certain result, but which, on the contrary, admitted of the application of principles that, being once carried into effect, would, in all probability, endanger the constitution of the country, and the existence of the monarchy itself. Where there was a practical grievance, apply an adequate remedy; but till the existence of positive evils were proved, all change in relation to a question so important as the duration of parliaments was in itself, a great and practical evil; and, therefore, since in the present state of things, no practical mischief was found to exist, he called upon the house to abide and hold fast by that state of things, as they valued the safety of the empire.

After a few remarks from Mr. Hill, and Mr. Bulwer in favour of the motion, and from lord Ebrington against it, lord John Russell said, that he wished to obtain, if possible, a clear idea of the proposition before the house. The whole question under discussion was one of duration, and yet there

act statement
 se period which
 amended in the
 of the septennial
 non. gentleman was
 fa. so a period of three
 years, he seriously think it
 advisable that the present parlia-
 ment which had sat for two years,
 and had now under its consideration
 many important acts of legislation,
 should be dissolved after the present
 session. Any change, such as that
 proposed, would necessarily lead to
 hasty and imperfect legislation. If
 the proposition before the house
 was made with a view to triennial
 parliaments, let it be at once un-
 derstood, that, at the close of the
 present session, the existence of
 the present parliament should
 cease, and that its continuance
 would be inconsistent with the
 rights and interests of the people.

Colonel Evans expressed his de-
 termination to vote simply on the
 motion before the house for short-
 ening the duration of parliaments,
 without reference to any particular
 opinions expressed in the speech by
 which the subject had been intro-
 duced to the house.

Mr. Tennyson stated in reply that
 those who supported his bill, would
 bind themselves only to the pro-
 priety of shortening the duration
 of parliaments, without at all
 pledging themselves to any parti-
 cular period, which might be re-
 served for determination in com-
 mittee; whereas, those who voted
 against it, would give a conclusive
 opinion, that the present term
 ought to be continued. He can-
 didly admitted, that he intended to
 propose in committee, three years,
 as the period for the duration of
 parliaments; because that term
 had the advantage of constitutional
 sanction. He argued the question

however, on the ground of public
 advantage and expediency. He
 admitted that but few petitions
 had been presented on the subject,
 which was a proof that the people
 distrusted their representatives and
 despaired of redress.

Mr. E. J. Stanley moved by way
 of amendment that the bill be one
 to shorten parliaments to five years,
 which was negatived without a
 division; and the house having
 then divided on the original mo-
 tion, it was lost by a majority of
 fifty.

Colonel Evans, on the 19th of
 June, moved for leave to introduce
 a bill for the amendment of the
 reform act in so far as it made the
 payment of rates and taxes an
 essential qualification for voting at
 parliamentary elections. If the
 house should not agree to the total
 repeal of the clause to which he
 alluded, he would be satisfied with
 the substitution of the 6th of
 October for the 6th of April as
 the date at which such rates should
 be payable. The effect of this very
 moderate proposition would be to
 give the rate-payer the advantage
 of six months; and thus remove
 the temptation to corruption which
 was held out to candidates and
 agents to obtain the support of
 voters by paying the poor-rates
 due by them. The reform measure,
 which had failed hitherto to abolish
 sinecures and satisfy the just ex-
 pectations of the public, would thus
 be rendered much more efficient.
 He confessed that he had no hope
 of realising the proposed improve-
 ment, so long as it failed to receive
 the countenance of government.
 He felt it to be his duty, however,
 to move a repeal of those clauses
 of the reform act regarding the
 payment of rates and taxes which
 had been found to have the effect

of restricting the number of voters.

Mr. Hume seconded the motion, although he had not read the resolution, on the ground that the restriction of the right of voting to occupiers of 10*l*. houses involved a principle so unjust that rather than submit to it, many persons had voluntarily relinquished their right to the elective franchise. He could not see why there should be any objection to, at least, a modification of the clause complained of.

Lord Althorp, after expressing surprise at the audacity of any man seconding a series of resolutions without having first made himself acquainted with their nature and tendency, denied that an inquiry into the expediency of modifying the reform bill was at all desirable. The mode of registration had been, indeed, taken under consideration; but it involved a very different question from that of the proper amount of the elective franchise. The restriction had been introduced for the purpose of preventing any evasion of the principles of the bill. It was absolutely necessary that there should be a bona fide occupancy. In allusion to the other topic which had been suggested, he must remark that the constituencies knew whether or not candidates were the sons of peers, and whether they held office, and the circumstance of their being the one or holding the other was no good reason for revising the reform bill. There were other grounds, which he should not take the trouble of stating, on which he opposed this motion.

Mr. Roebuck said, that, as it did not follow that because a householder failed to pay his taxes by a certain day, the state lost its

revenue; he saw no reason why such an individual should be denuded of his right of voting. This clause narrowed the constituency, and placed the suffrage in the hands of the few for the benefit or the injury of the many. It was during periods of distress, when the poorer classes were most anxious to have their cries heard by the legislature, that they would be disfranchised in consequence of their inability to pay their rates and taxes. The artizans, who were chiefly affected by this clause, were the most intelligent and patriotic class in England. It was unjustifiable to rob them of a franchise which the reform bill pretended to give them, but of which this clause, to all intents and purposes, deprived them.

Mr. O'Connell understood that owing to the operation of the clause alluded to, the number of voters at present registered fell short of the amount which had been anticipated before the passing of the reform act by not less than 500,000; and in some places the voters were of about as much value as they had been in any of the close boroughs recently destroyed. No restriction could have been more effectual in giving as little reform as possible to the people than that of making the payment of rates and taxes preliminary to the possession and exercise of the elective franchise. Accordingly the constituencies were regularly decreasing throughout the country. He thought that the house ought to accede to these resolutions, after they had undergone a slight modification. Whether modified or not, however, he should support them.

Mr. T. Attwood thought a fraud had been committed on the country

by the insertion of this clause in the bill, and by making it necessary that the entrance of such payments should be made in the name of each individual. Two thirds of the houses in Birmingham were rated in the names, not of the occupiers, but of the landlords.

Lord John Russell, while he regretted that the reform bill had not produced all the prosperity which the country had expected from it, could not see in what manner the welfare of the people could be secured by an enlargement of the elective franchise. The measure of reform had been made extensive that it might be permanent; and the repeal of the restriction in question could not give the people of England more liberty in the election of their representatives than they at present enjoyed.

Colonel Evans having briefly replied, the motion was lost by a majority of 87.

Lord John Russell had introduced a bill to prevent bribery at elections, which passed the Commons. The Lords had referred the bill to a select committee; and on the 28th of July the marquess of Lansdowne, on presenting the report of that committee, stated briefly what they had done to attain as speedily and as effectually as possible the object contemplated by the framers of the bill. There had been no interference with the powers possessed by the election committees of the house of Commons. The single object that had been kept in view was the attainment of the proposed end in the speediest manner possible. They had accordingly suggested an amendment on the bill, by which it was directed that, when a committee of the house of Commons had come to the conclusion

that gross and extensive bribery had been committed in any place, the result of that inquiry should be laid before their lordships, and then the crown should issue a commission, over which one of the judges should preside, to form a court of inquiry on the whole matter in dispute. He proposed that this court should consist of seven members of the house of commons, five of their lordships, and one judge, who should have the power of calling before them all persons and documents affecting the subject of inquiry; that the witnesses should be exempted from the consequences of any evidence which they might be called on to give; and that, a statement of the result having been drawn up, any legislative enactment with regard to the alleged abuse should be left to the discretion of the two houses of parliament.

These amendments having been, on the 7th of August, brought under the consideration of the lower house, lord John Russell thought them of so extensive a nature as to render the bill an almost entirely new measure. After much vexatious inquiry, he observed there seemed to be little chance of the two houses of parliament coming to an agreement. The manner in which it had been proposed to effect the prevention of bribery at elections, was the appointment of a committee to take upon oath evidence which should afterwards be sent up to the lords. Instead of adopting this suggestion, however, their lordships had constituted a tribunal totally new in its character; but he did not think that there were any objections sufficiently strong to prevent the house from making an experiment of such a tribunal. He, at the

time, had many scruples as to the propriety of any one of the lords presiding over the proposed inquiry, and especially of leaving the sole power to receive or reject evidence, which would have the effect of restricting inquiries of parliament within narrow limits, and, by exposing the judge to the imputation of personal partiality, might prove detrimental to his judicial character.

There were other alterations of more trifling nature with respect to the time of sitting and the order of costs, which he thought might have been spared by the other house; but upon the whole he did not object to the adoption of the lord's amendments on this

subject. Mr. Warburton, however, supported by Mr. O'Connell, after arguing that the house could not consider the propositions without going into committee and passing through all the stages of a new measure, moved that the amendments be taken into consideration on the day six months.

Lord John Russell ultimately agreed to withdraw the bill.

At the beginning of the session, the issuing of a writ for Warwick had been suspended on the ground of the alleged bribery that had prevailed at the last election;* and afterwards a bill was introduced for enfranchising the freemen, and extending the right of voting to the next district. The interest, which it was the object of the bill to destroy, was conservative; of course all opposition to the bill in the Commons was less. When it reached the lords, lord Wynford presented a

petition from some of the electors, which stated that only twenty-three cases of corruption had been proved in a constituency of 1,300 persons, and prayed that they might be heard by counsel against the bill. The earl of Durham thought, that the petitioners were not entitled to be heard at their lordships' bar. The petitioners had been previously heard by a committee of the Commons' house, who, on an investigation of the transactions connected with the Warwick election, reported that, in consequence of the gross prevarication of the parties, no reliance could be placed on their statements. Their application to be heard at the bar of the other house, had, of course been refused. In these circumstances he saw no reason why an investigation of the case should be instituted anew by their lordships. Lord Wynford was certain that the noble earl could point out no precedent for a proceeding of this kind, without a previous inquiry having been instituted with respect to the alleged facts. Never had a case occurred where a borough was disfranchised or new electors added to its constituency, in which their lordships had simply acted on the report of the other house of parliament. It was their duty to see with their own eyes and decide upon their own knowledge.

Lord Durham, finding that lord Grey would not support him in the course he wished to be adopted, was obliged to yield; and when the house entered upon the consideration of the bill, those who supported it were required to prove their case, the electors opposing it by their counsel. A long and tedious investigation was commenced; witnesses were examined day after day, who proved only

what might be proved in almost every election in England; and, finally, on the 5th of August, the Lord Chancellor admitted that, while there were grounds for suspecting corruption in this case, still it appeared to him that, upon the whole, there were not sufficient grounds for proceeding further in the inquiry. It would be a most dangerous precedent if they proceeded to disfranchise a body of electors merely because a few of their number had acted corruptly. In the present case the house had no grounds for altering the whole course of election and inflicting the punishment of disfranchisement. If a small application of money were to be made the ground of an act of parliament for altering the constitution of this, or any other place, power would be no longer confined to the hands of the legislature. Any individuals might, in that case, by sinister means, cause an alteration in the constitution of a borough. The noble lord concluded by moving that the bill be read a second time that day six months.

The motion was agreed to and the bill was lost.

Bills also were introduced to disfranchise Hertford, Stafford, Liverpool, and Carrickfergus. In all those cases, the pretext for, and object of, the measure were the same; the pretext being bribery and corruption in some of the voters; and the object being to destroy, in these several places, the influence of the conservative party by transferring the franchise to a new class of electors. None of the bills passed the house of Lords. Nevertheless, lord John Russell, on the 7th of August, moved, that no new writ should be issued to the borough of Hertford, Carrick-

fergus, or Warwick, before the 20th of February next. The resolution in reference to Hertford and Carrickfergus was agreed to, without a division. On the motion, however, that no new writ be issued to the borough of Warwick, Mr. Goulburn said, that he should strictly confine himself to the question whether or not it was right to suspend the issue of a writ to this borough. Every facility had been given for the inquiry which had been instituted, and the upper house had, without hearing the opponents of the bill, delivered an explicit opinion that the case was not proved. Why, then, should the borough of Warwick be denied the right of sending another member to parliament? He opposed the suspension of the issue of the writ.

Mr. Poulett Thomson said the circumstance of Warwick being exculpated by the other house did not invalidate the judgment of the house of Commons. Time ought to be given to consider the grounds of the decision of the house of Lords before setting aside the deliberate judgment of the Commons. The constituency could not lose any advantage by having one member less during the period parliament was prorogued. While the house was of opinion that the constituency of a certain borough was not in a fit state to return a member, it was mockery to order a new writ to be sent to such a place. The issue of the writ ought, at all events, to be postponed.

The motion was eventually carried by 67 to 18.

In reference to these proceedings of the house of Commons, the earl of Warwick took an opportunity, on the 12th of August, in his place in the house of Lords, explicitly to deny

the charges which had been made against him relative to improper interference on his part in the Warwick election; and the Lord Chancellor, in consequence of what had fallen from the noble earl, felt it necessary to say, that it was criminal for any member of the house of Peers to be concerned in bribing or treating; while, at the same time, he admitted that a peer might interfere in an election in the same manner in which a commoner might legally do so. It was, perhaps, a thing to be avoided, but it was not illegal; it was not contrary to the character of a good subject or a man of honour. He held that a peer was entitled by law to canvass, although the house of Commons had, by a resolution, declared such conduct to be improper. Respect for the house of Commons might prevent himself individually from interfering in elections; but, in doing so, he should not think himself guilty of a dishonourable act nor believe that a stain could be affixed to his character.

The Benchers of the Inner Temple having twice refused to call Mr. D. W. Harvey to the bar, in consequence of serious imputations on his integrity, a committee had been appointed to inquire into the circumstances attending the rejection of his claim; as if, forsooth, the verdict of such men as O'Connell and Hume could wash off any moral stain. In the course of the investigation Lord Western was examined; and in order to show that he had not always entertained so bad an opinion of Mr. Harvey as he now expressed, it was endeavoured to be made out that he had assisted in promoting his election for Colchester. Lord Western admitted that he had applied to

Mr. Ellice the secretary of the treasury, to procure a sum of money for the purpose of promoting the interests of Mr. Mayhew in his canvass for Colchester, but denied that it was ever intended to apply that money to secure the return of Mr. Harvey; and it appeared that a sum of 500*l.* had been transmitted by Mr. Ellice to the treasurer of the committee of the reform candidate. The committee having reported these circumstances to the house, Mr. Ellice said, that he now for the first time saw the report which had been presented by the committee. It was totally untrue that he, as secretary of the treasury, had advanced money for the purpose of paying the expenses of an election then going on at Colchester. He admitted that, during the course of the year, when sums of money were collected to advance the interests of those who opposed reform, he had taken on himself the labour of making arrangements connected with the general election, not at all in his official capacity, but simply as an individual anxious for the success of the great constitutional principle for which they had been contending. He had, in several instances, given advice to gentlemen, who superintended election funds, as to the most effectual mode of appropriating them. Accordingly, when it was represented to him that the one side had the means of sending down to Colchester out-voters, he certainly did apply to the committee, who had the management of the funds collected, for an advance of 500*l.* to promote the interests of the reform candidate. He acknowledged at once the fact that he had apportioned the funds subscribed throughout the country,

and he threw himself on the judgment of the house. The funds had not been advanced for the exclusive use of one or other of the candidates for Colchester, but for the purpose of enabling the reformers of that borough to send members who would support the reform bill.

• The Report was as follows :—

In the course of the examination of the right hon. lord Western, the following evidence was given, which, though not immediately connected with the investigation in which the committee is engaged, they feel it their duty to bring to the knowledge of the house without delay:—

“Did you not yourself write to Mr. Ellice, calling upon him, as an officer connected with the treasury, to send down a sum of money for the purpose of carrying on Mr. Harvey’s election at Colchester?—No, I wrote for it to carry on Mr. Mayhew’s election at Colchester.

“Do you mean to say, the letter was not written to support Mr. Mayhew and Mr. Harvey jointly?—Yes; it is my firm belief it was not to support them jointly; it was the furthest from my thought to have done so; it was to support Mr. Mayhew.

“Your belief is strong to establish in your mind the distinction?—Yes

“Now, in point of fact, was any money sent from the treasury to Colchester in consequence of your letter?—Yes, I understood there was.

“Can you state who the parties were who shared the money?—No, I cannot state who the parties were that shared that money; but I understood, from yourself, I think, that there was a dispute about it, and an egregious dispute, and my recollection certainly is, that it was sent for Mr. Mayhew; I think he had three contests within a short time.

“By the Committee.—How much was the money, do you know?—I think it was 500*l*.

“Did Mr. Mayhew and Mr. Harvey stand on the same interest?—Yes, I believe they did stand on the same interest; but they were most violently hostile to each other, as I understood.

“By Mr. Harvey.—Who were hos-

Not a shilling of the fund had been contributed from the public money. He had done nothing more than any other individual would have thought himself justified in doing under the circumstances of the case.*

After a few observations by se-

tile?—Mr. Mayhew and Mr. Harvey; that is my impression.

“Does your lordship know that Mr. George Saville, of Colchester, was at the time we have been speaking of, the treasurer of a common fund to secure the return of Mr. Mayhew and Mr. Harvey?—No, I did not know that; you are asking me as to matters which I say are irrelevant; my desire was, that money should be deposited in Mr. George Saville’s hands.

“Did Mr. George Saville receive a sum of money, in point of fact, at your instance?—I believe so.

“I ask you whether, if it shall appear that the sum of money which, through your influence, was obtained from the treasury, was obtained in aid of my election at Colchester, that is consistent with your present answer?—I tell you I did not get it for your support; I did it for the support of Mr. Mayhew.

“You were understood to say, that when you wrote to the treasury to counsel money being sent down to promote the cause of reform, yours was a distinct application on behalf of Mr. Mayhew to Mr. Harvey’s exclusion?—Not to his exclusion, but my application was for Mr. Mayhew.

“As distinct from Mr. Harvey?—I did not say to Mr. Harvey’s exclusion; but on Mr. Mayhew’s account it was that I made the application, and not on Mr. Harvey’s.

“By the Committee.—Did your lordship, at the election, exert yourself on public political grounds to assist in procuring the return of Mr. Harvey as well as the other gentleman, he being a reform candidate?—No, I did not; the great battle was for Mr. Mayhew, he was the person in danger?

“He was not returned?—Yes, he was.

“And for that purpose the 500*l*. was advanced by the secretary of the treasury for the purposes of the election?—Yes.”

embers, Mr. A. Baring said the fact of 500*l.* having been paid by the secretary of the house having come before the house would vote for a committee of inquiry in vindication of the illegals.

The subject was again incidentally mentioned, on the 23d of July: Mr. Connell thought, that, if a statement had been made of the circumstances of the gentleman whose character was entitled to all respect; yet the statement ought to be confirmed by an examination of witnesses.

If the money actually expended had been, as he says, from private subscription, it would be easy and direct for the production of the books. At least, the house was entitled. The character, &c., of the government demanded investigation on this subject.

He moved, therefore, that a committee be appointed to inquire into the evidence furnished in the first instance of the inns of court select committee, be referred to a select committee of privilege.

Mr. John Russell and Mr. St. John agreed in the improvement of referring this subject to a select committee, after the statement had been made to the house by the secretary at war; and on the amendment being put, that the committee think the explanation offered perfectly satisfactory, Mr. St. John said that, if they were to decide that a denial of a statement by a secretary of the treasury was, in consequence of his character, to overbear evidence in a committee inquiry, a most dangerous precedent would be established. The single circumstance that the money had been received by Lord Russell, from the treasury, and had been applied to elec-

tion purposes, afforded sufficient grounds for the inquiry demanded. The secretary at war had interfered as such, and not as a private individual in the election at Colchester. His conduct ought to be the more scrupulously examined as he was the only public officer, intrusted with secret service money, who was not sworn to its faithful distribution, and consequently commanded a source of dangerous and unconstitutional influence. The expenditure of money on the part of any individuals, had always been considered as coming within the treating act.

Mr. Spring Rice said, he would endeavour to supply the house with the real state of the case. He did not contend that this was a question which ought to be decided upon a principle of confidence in the present ministry. The personal character of the individual accused was such as to convince any one that the jealousy, with which his conduct had been viewed, was unfounded. The declaration of a member in his place had always been considered as material evidence to guide the judgment of the house in cases of this nature. Every circumstance corroborated the statement of his friend. The obvious truth was, that large subscriptions had been entered into by the friends of certain political opinions; and a part of these funds had been transmitted to Colchester. Under these impressions he supported the amendment.

Mr. Baring believed, that the right hon. secretary was innocent of having taken money from the public purse; but he had invaded the privileges of the house. What were the facts of the case as admitted? Lord Western solicited from the secretary to the treasury

act statement
 se period which
 amended in the
 of the septennial
 non. gentleman was
 fa. to a period of three
 years, he seriously think it
 advisable that the present parlia-
 ment which had sat for two years,
 and had now under its consideration
 many important acts of legislation,
 should be dissolved after the present
 session. Any change, such as that
 proposed, would necessarily lead to
 hasty and imperfect legislation. If
 the proposition before the house
 was made with a view to triennial
 parliaments, let it be at once un-
 derstood, that, at the close of the
 present session, the existence of
 the present parliament should
 cease, and that its continuance
 would be inconsistent with the
 rights and interests of the people.

Colonel Evans expressed his de-
 termination to vote simply on the
 motion before the house for short-
 ening the duration of parliaments,
 without reference to any particular
 opinions expressed in the speech by
 which the subject had been intro-
 duced to the house.

Mr. Tennyson stated in reply that
 those who supported his bill, would
 bind themselves only to the pro-
 priety of shortening the duration
 of parliaments, without at all
 pledging themselves to any parti-
 cular period, which might be re-
 served for determination in com-
 mittee; whereas, those who voted
 against it, would give a conclusive
 opinion, that the present term
 ought to be continued. He can-
 didly admitted, that he intended to
 propose in committee, three years,
 as the period for the duration of
 parliaments; because that term
 had the advantage of constitutional
 sanction. He argued the question

however, on the ground of
 advantage and expediency.
 admitted that but few pet
 had been presented on the su
 which was a proof that the
 distrusted their representative
 despaired of redress.

Mr. E. J. Stanley moved b
 of amendment that the bill
 to shorten parliaments to five
 which was negatived with
 division; and the house
 then divided on the origina-
 tion, it was lost by a major-
 ity of fifty.

Colonel Evans, on the 11
 June, moved for leave to intro-
 duce a bill for the amendment
 of the reform act in so far as it
 related to the payment of rates and tax
 as a qualification for vot
 in parliamentary elections. If
 the house should not agree to the
 repeal of the clause to which
 alluded, he would be satisfied
 with the substitution of the 6th
 of October for the 6th of Ap
 as the date at which such rates
 should be payable. The effect of thi
 moderate proposition would
 be to give the rate-payer the advan-
 tage of six months; and thus re-
 move the temptation to corruption
 which was held out to candidate
 agents to obtain the support
 of voters by paying the poor
 rate due by them. The reform me-
 asure which had failed hitherto to
 satisfy the just expectations of the public, would
 be rendered much more effec-
 tive. He confessed that he had no
 chance of realising the proposed im-
 provement, so long as it failed to
 secure the countenance of govern-
 ment. He felt it to be his duty, how-
 ever, to move a repeal of those
 clauses of the reform act regardin
 the payment of rates and taxes
 which had been found to have the

laboured under a similar apprehension. Having read the speech of the noble lord on the woolsack, he entertained no doubt that the judgment of the court below had been affirmed, but on referring to the votes, he found that the consideration of the case had been postponed. The written minutes were, likewise, very different from the printed votes. He had no objection, however, to the declaration, that the publication was a breach of privilege.

After a few words from earl Grey; the motion was agreed to, and, in compliance with the orders of the house, the printer of the *Morning Post* appeared at the bar. He was briefly examined; and, a few remarks having been made by the duke of Wellington and lords Lyndhurst and Radnor, he was, on the motion of Lord Brougham, discharged; and a motion that the editor of the paper attend the house, agreed to.

On the 30th of June, Mr. Bittlestone, the editor of the paper, attended at the bar of the house of lords, and having made a statement in his own defence, was, after a

few observations from several of their lordships, remanded in custody. On the 1st of July, there was presented to the house a petition from Mr. Bittlestone, praying to be set at liberty, the consideration of which was deferred till next day, when after an admonition from the lord chancellor, he was discharged.

On the 24th of June, Colonel Williams brought under the notice of the house of Commons, as a breach of privilege the obstruction which he had met with, in his progress to parliament from the soldiers that lined the streets during the musical festival in Westminster abbey. He seriously complained of having been compelled to proceed to attend on his parliamentary duties through "a bristle of bayonets." He moved an address to the crown for the purpose of ascertaining whether or not it had been ordered that an opening should be left for members of parliament to enter the house. After a short conversation, however, the subject was dropped; and this ridiculous motion was withdrawn.

CHAP. IX.

Discussion in House of Lords regarding the Imprisonment of a British Subject by the Government of Portugal—Relations of Great Britain with Spain and Portugal—Motion for a Select Committee to inquire into the state of the Canadas—Petition of the Inhabitants of Quebec, and letter of Mr. Hume—Disputes with France regarding the Newfoundland Fisheries—Steam Navigation to India.

ON the 6th of May, the marquess of Londonderry brought under the notice of the House of Lords, the case of General sir J. Campbell imprisoned at Lisbon, by the Portuguese government. He would not, he said, have brought forward the case had it not been for the cruel treatment which that officer had met with at the hands of Don Pedro. He had been seized subsequently to his having ceased to be an officer in the service of Don Miguel, and had now been imprisoned for eight months. It was said that papers addressed by viscount Santarem to individuals in this country were found in his possession; but it did not appear that he was at all aware of the nature of these communications. An inquiry had indeed been instituted, but with the results of it he was not at all acquainted. Many British subjects were most unjustly treated by the authorities at Lisbon. He concluded with moving an humble address to his majesty to direct that there be laid before the house copies of despatches or correspondence with his majesty's secretary of state for the foreign department or by his majesty's ambassador at Lisbon, relating to the imprisonment in the

dungeons of St. Julian's, at Lisbon, of sir John Campbell, late an officer of the British army.

Lord Grey said, no doubt could be entertained, that sir J. Campbell was employed in the service of Don Miguel; for when he was taken prisoner there were found on his person papers from viscount Santarem, the minister of Don Miguel. On all the circumstances having been detailed to his majesty's advocate-general, his opinion was, that sir J. Campbell had no claim upon the British government. Representations, however, were made to the Portuguese government, which refused either to give him up unconditionally, or to release him on his parole. While, therefore, he denied that his majesty's ministers had been inattentive to the rights of British subjects, he had no objection to grant any papers that could be produced consistently with the interests of the public service.

The Duke of Wellington confessed, that he had always viewed the case of sir J. Campbell with jealousy, in consequence of his having served in contravention of the foreign enlistment bill. It was simply the circumstance of his having been taken with despatches on his person that justi-

fied his detention. As he had not been detected, however, in the commission of any offence against the Portuguese government, he ought to have been carried before the judicial officer appointed to take cognizance of offences committed by British subjects. He had a right to claim that he should not suffer a more severe measure of punishment than any other British subject in similar circumstances. It would be found that he had been differently dealt with.

Lord Wynford, on the other hand, could not admit that sir J. Campbell had acted in contravention of the foreign enlistment bill. He had not served as a soldier for pay, but as a volunteer. No sooner had he ascertained that an accredited minister was sent from this government to Portugal than he resolved to return to England, and he was on the high seas, under the protection of the British flag, when he was taken prisoner. This was contrary to the laws of nations. It had been said that the port, which the vessel was leaving, was blockaded; the vessel, however, in question was allowed to proceed on her voyage after the apprehension of sir J. Campbell.

On the 5th of August the House of Lords was again engaged in considering the foreign relations of the country, on a motion of the marquess of Londonderry, who complained that, by partial measures, and incomplete and temporary arrangements, ministers had departed so far from the state of things as settled in the years 1814 and 1815, that the peace of Europe was seriously endangered. Our foreign policy with regard to Belgian affairs had, notwithstanding our protocols, been a signal failure; and, in consequence of

dilatory and protracted negotiations, had terminated in a wasteful expenditure of treasure and blood. Ancona and Algiers had been occupied by the French; and as to our relations with Russia, there had been on the part of government a want of courtesy and conciliation towards that power which was altogether incomprehensible. We had not had even an ambassador at St. Petersburg since August 1832. He would not now discuss the state of affairs between Russia and Turkey; but he must say, that if England was justified in taking a distinct line as to Belgium, without regard to the treaties of Vienna and Paris, Russia might, on the same principle, be justified in taking a particular line of policy in relation to Turkey without those previous communications, which, under other circumstances, Great Britain would have had a right to expect. The interest, likewise, which, without direct interference, we had unnecessarily displayed for the Poles, could not fail to alienate Russia, and disturb the good understanding which had formerly existed between the two countries. The revolutionary spirit, too, which was spreading throughout England, must have shaken the confidence which Austria and Russia had reposed in the stability of our monarchy; and to compensate for the loss of these three great European powers, we had adopted don Pedro, king Leopold, king Otho, the propagandists in Germany, and the liberals of Belgium. He could conceive nothing more unjustifiable than our conduct towards Portugal. We were solemnly pledged to neutrality, and yet we had interfered to exterminate

a party, who, trusting to that pledge, had been encouraged to persevere in the contest. By pursuing the course which we had hitherto followed, we should, ere long, find ourselves involved in inextricable difficulties with the European powers. Having, likewise, recognized the queen of Spain, he wished to know whether we were bound by treaty to commit ourselves along with her majesty to the chance of an interminable war. He complained, too, of the augmented expenditure of secret service money, which had increased during a period of profound peace, and in the space of two years, had exceeded by 14,000*l.* the amount of the same branch of expenditure during two years of the duke of Wellington's administration. The secret service money amounted to no less a sum than eighty or ninety thousand pounds. He moved, that an address be presented to his majesty, praying that he would be graciously pleased to give directions that there be laid before the house copies or extracts of correspondence or information relating to negotiations for concluding a treaty between his majesty, the queen regent of Spain, Louis Philippe, king of the French, and the Duke of Braganza, signed in London on the 22nd of April 1834.

Lord Melbourne observed, that as to a violation of the Portuguese territory having been allowed by this country, it ought to be recollected that the claimant of the Spanish throne was within the confines of that territory; so that intervention on the part of the Spanish government became necessary, and it was the duty of Great Britain to provide that such intervention should be made b

treaty, so that it might go no further than was necessary to accomplish the object. The constituted authorities of Spain had declared themselves in favour of the queen, and his majesty had been advised to recognize the object of their choice. He would have no objection to the production of the papers required, were it not that the feelings and opinions of other sovereigns were materially connected with them. The production of papers could not serve to illustrate the circumstances attending the treaty in question, as the grounds on which it rested were already known, and as it had been successful in accomplishing the object in view. For these reasons he met the motion with a direct negative.

The duke of Wellington was of opinion that, if ever there was a measure adopted inconsistent with the policy of Great Britain, the late treaty was that one. It had always been the system of a British government to maintain the two countries of the peninsula in independence of each other and of France, and the effect of this treaty was, to frustrate both of these objects. It led to a perpetual and not merely a casual interference of foreign armies in the internal affairs of both countries. This was at variance with our former policy and practice. Spain was actually prohibited, in the reign of Ferdinand, by this country, from sending troops into Portugal, to assist don Miguel. Now, it appeared that the invasion of Portugal by a Spanish army took place six months before this treaty was signed; and, although it had for its object the expulsion of don Carlos, it had not been ratified till he and don Miguel had both quitted Portugal. It

not desirable that we should enter into an alliance with France which would interfere with the internal government of these countries at the inclination of the other powers of Europe. His majesty thought proper to acknowledge Isabella II. the daughter of Ferdinand VI. in preference to another claimant. For the event which might place her on the throne ministers were to have been prepared: and settling the succession to the throne of Portugal they would have averted the consequences of a civil war in both countries.

The marquis of Lansdowne stated that no other principle of action or non-intervention had been laid down than this—that, as the interference of one power in the internal affairs of another could not be avoided, such interference should be strictly confined to the objects for which it was directed; and this rule had, in relation to the treaty in question, been observed. The Spanish government was justified in attacking don Carlos, and don Miguel was connected with him. The war, he thought, had been most speedily concluded. Contrary to the predictions the peace of 1801 had been hitherto maintained, and would be continued by adherence to the same course of policy, and by a friendly alliance and intercourse with France. The treaty was negatived without a vote.

Mr. Roebuck, on the 15th of January, moved for a select committee to inquire into the political condition of the Canadas. These provinces, he said, in consequence of a continuous bad government, were now in a state approaching to a revolt. By their constitution they had a governor, the

legislative council, and the house of assembly. Some years after the constitution had been conferred on them, the two provinces were permitted to provide for their own expenses, and consequently to have control over the expenditure of the government. It had been proposed to pass the estimates of the civil list annually; but that plan had been thwarted by the government, which charged the house of assembly with want of respect to his majesty. The representatives of the people next resolved to vote their money by items, which having excited the jealousy of the officials, put a stop for a time to the business of the state. During the whole of the administration of lord Dalhousie the war between the executive and the representatives of the people was carried on with bitter animosity, and every device was attempted, to obtain a revenue independent of the control of the house of assembly. Dues, for instance, which were collected at the port of Quebec under acts of the imperial legislature, and the estates of the Jesuits which had become the property of the crown, were entirely withdrawn from the supervision of the house; and lately an attempt had been made to acquire a revenue by the sale of waste lands. The whole public mind, in short, was embittered, and the country was divided into two hostile sections—a small band of official persons on the one hand, and the nation, with their representatives at their head, on the other. Besides, in lower Canada the majority of the people were of French extraction, and advantage had been taken of this circumstance to sow discord among the people. An attempt had been made to

create an English in opposition to a French party. The legislative council, as now constituted, being connected with the country neither by birth nor property, had interests diametrically opposed to the interests of the people. It was proposed, then, that the wishes of the people should be signified to the legislative assembly by a body of men selected by themselves, as being the only parties who could explain their actual wants in the matter of government. The three branches of the legislature were soon at open war, and the administration of justice was at a stand, in consequence of the plan proposed by the house of assembly having been rejected by the governor.

Mr. Stanley expressed his satisfaction at having received an opportunity of bringing under the notice of the house the present state of the province of Lower Canada. It was obvious that this motion called upon the legislature of this country to enter into the consideration of two colonial provinces, while the whole of the mover's facts and allegations referred to a single province. In the year 1823 a select committee of the house of commons had been appointed to inquire into the state of the government of Upper Canada; and that committee had laid it down as a principle, that, where a colonial province had a local legislative assembly of its own, the parliament of this country ought to interfere only in cases of great emergency and necessity. He embraced that principle and opinion, and especially in reference to a country possessing free institutions, and suffering less from taxation than any other part of the globe.

The case of Lower Canada, however, to which allusion had

been made, was widely different; and it was his intention to move as an amendment on the present motion, that the inquiry of the committee to be appointed should be limited to that province, and he pledged himself to show that the majority of the allegations were greatly overcharged. It had been urged, for instance, that the legislative and executive councils were combined. In Upper Canada, of the executive council, consisting of thirty-two members, only six were members of the legislative council; and in Lower Canada the executive council consisted of thirty-seven members, of whom three only had seats in the legislative assembly. The committee appointed in 1828 recommended, after hearing evidence, that a more independent character should be given to the legislative council, and, accordingly, in compliance with the spirit of the recommendation, the judges, with the exception of the chief justice, had been excluded. At the time the committee sat in 1828 the members of the legislative council of Lower Canada were twenty-seven in number, of whom nineteen held offices under the crown; and, in 1832, while the members were increased to thirty-five, only seven of them were connected with the crown. These facts proved that the government in this country had been most anxious to maintain harmony between the crown and the house of assembly. When the Canadas in 1791 were divided into Upper and Lower Canada, and received separate governments and legislative councils, the amount of the revenue coming to the crown from casual and territorial duties rendered it unnecessary to apply to the house of assembly for any

sums in aid of the local expenditure; but after some years such an application was imperatively demanded. At first the house of assembly complied with the requisition; but subsequently claimed a superintendence over the revenues collected within the province. The governor at length authorised the receiver to take any sum out of the chest of the province, on an order signed by him, without waiting for the sanction of the house of assembly to direct its appropriation. It was this unjustifiable proceeding that drew forth, in 1828, the censure of the select committee of the House of Commons; but the circumstances, which had brought on the present collision, were very different. At a period of great national suffering the governor had advanced from his own resources a sum of 7,000*l.*; and his application next session to the house of assembly for reimbursement was met by a taunt of misappropriation of the money. The committee of the House of Commons had stated that the officers of the government and of the executive, as well as the judges, ought to be independent of the province and its representatives. This resolution was carried into effect, but no stated sum was mentioned as the salary which they were to receive, nor was any provision made respecting the funds on which such salaries were to be charged. One individual, who had accepted the honorary appointment of a councillor, for which he received no emolument whatever, was excluded from the house of assembly, although he had been repeatedly re-elected, and while there was no law enforcing the vacating of a seat or accepting an official appointment.

Much of the present misunderstanding arose from the jealousy and ambition of the French colonists, who were determined to maintain themselves in the condition in which they had been allowed to remain till the present time, at the expense of British interests, and the retardment of all improvement.

As to the complaint that the legislative council was not elective, it was impossible that it could be so; for in a country where the mass of the population consisted of French Canadians, while all the property, with the exception of the land, was in the hands of the British inhabitants, such a measure would abrogate the power of the government and the executive, as well as infringe the rights of the British subjects. As to the charge that a fair proportion of French Canadians were not admitted to public offices, it was inseparable from the very nature of a colony, that, in order to preserve and strengthen the connection between it and the mother country, as many public officers as possible should be taken from the latter. Not one of the judges, however, had been taken from England: they were selected from the bar of Canada, as persons who had adopted that country as their own, and had raised themselves to the bench by successful professional exertion. It had certainly been understood that the assembly, according to the bill which conferred upon it the power of voting its own supplies, would have provided permanently for the maintenance of the judicial establishment in the colony. That hope it failed to realize, and he should therefore propose a suspension of the act in question, until t

gislative assembly should redeem its pledge and make a suitable and permanent provision for the judicial establishment; stipulating at the same time, that, after the condition had been complied with, the whole of the revenues should be given over to the authority of the provincial assembly.

He moved an amendment for the appointment of a select committee, to inquire and report whether the grievances complained of, in 1828, by certain inhabitants of Lower Canada had been redressed; and also whether the recommendation of a committee of that house, to which the question of these grievances was referred, had been complied with on the part of the government; also to inquire into other grievances now set forth in the resolutions of the house of assembly in lower Canada, and report thereupon to the house.

Mr. O'Connell said, that the object of government was to thwart the Catholic clergymen of Canada, and to throw obstacles in the way of their building chapels. He recommended that the motion should be withdrawn, and the amendment allowed to be carried, so as to throw upon government the responsibility of appointing the committee. Mr. Hume having contrasted what he called the tyranny exercised over the colony by the present government with the leniency of the measures adopted by lord Goderich, and lord Howick having expressed a hope that the committee about to be appointed would succeed in effecting an amicable adjustment of the differences prevailing in Lower Canada, Mr. Roebuck withdrew his motion, and the committee was appointed.

On the 4th of August Mr.

Hume presented a petition from the county of Quebec, in Lower Canada, in support of the resolutions of the assembly of the province, setting forth ninety-two distinct grounds of complaint in reference to the government of the colonies, and signed by 18,083 individuals. He assured the house that so long as the present system of misrule was allowed to continue in the colonies, the inhabitants would not be satisfied until the management of their affairs was entrusted to their own hands.

Mr. Spring Rice, who was now colonial secretary, admitted that much irritation and excitement prevailed in certain parts of Lower Canada, and he was anxious, by removing any just ground of complaint, to reconcile the contending parties. Reciprocal good feeling ought to exist between the mother country and the colonies, and entertaining this opinion he regretted the more the publication, in the newspapers, of a letter, purporting to have been written by the member who had just presented the petition, in which the government of Great Britain was denounced as a "baneful domination," and containing sentiments which could not fail to minister to the angry passions of the malcontents. *—Mr. Hume

* The following is the letter alluded to.

" Bryanston-square, March 29.

" My dear sir,—I lately received files of the *Vindicator* and *Reformer* journals, and am pleased to observe that the electors of the county of York continue firm and consistent in their support to you, and that you manifest the same determined spirit of opposition to abuse and misrule.

" The government and the majority of the assembly appear to have lost the little portion of common sense and the prudence which society in general now

attempted to defend his letter. He said, that he did not consider it necessary to state to the house its nature and origin, as he was quite prepared to defend the sentiments which it contained. He admitted the language to be somewhat strong, but then it was most justly applied. The obnoxious

possess, and they sacrifice the greatest of public principles in gratifying a paltry and mean revenge against you.

“Your triumphant election on the 16th, and ejection from the assembly on the 17th, must hasten that crisis which is fast approaching in the affairs of the Canadas, and *which will terminate in independence and freedom from the baneful domination of the mother country*, and the tyrannical conduct of a small and despicable faction in the colony.

“I regret to think that the proceedings of Mr. Stanley, which manifest as little knowledge of mankind as they prove his ignorance of the spirit and liberal feelings of the present generation, encourage your enemies to persevere in the course they have taken. But I confidently trust that the high-minded people of Canada will not, in these days, be overawed or cheated of their rights and liberties by such men. *Your cause is their cause—your defeat would be their subjugation.* Go on, therefore, I beseech you, and success—glorious success—must inevitably crown your joint efforts.

“Mr. Stanley must be taught that the follies and wickedness of Mr. Pitt’s government, in the commencement of the French revolution, cannot be repeated now, either at home or abroad, without results very different from that which then took place. The proceedings between 1772 and 1782 in America ought not to be forgotten, and to the honour of the Americans, and for the interest of the civilised world, let their conduct and the result be ever in view.

“I remain, yours sincerely,

“JOSEPH HUME.

“P.S. The people in Lower Canada are taking the means of forcing their affairs on the government, and will I hope succeed.

“To W. L. M’Kenzie, Esq., M.P.,
York, Upper Canada.”

expression alluded to had been employed by him in reference to the measures of Mr. Stanley, and not to the domination of Great Britain over the colonies. No sooner had that gentleman entered into office, than he began to undo all that had been so judiciously and so beneficially accomplished by lord Goderich. Meetings had taken place in every district of both provinces to reprobate the measures of Mr. Stanley. Under all the circumstances, he considered that he had given very wholesome advice to the individual to whom the letter was addressed. He would say to Canada what he had said to Ireland—“if you cannot obtain redress of great and acknowledged grievances, the resistance becomes a virtue, though the difficulty is, where to draw the line.”—Mr. Rice remarked that a member of parliament enjoying perfect security in Bryanston-square was not at all in a situation to recommend measures of resistance to a distant colony; and read an address numerously signed by the most respectable inhabitants of Upper Canada, deprecating the sentiments contained in the petition which had been presented, and expressing the most perfect satisfaction with the British government.

On the 5th of June, Mr. Robinson called the attention of the house to the existing treaty between Great Britain and France, relative to the right of fishing claimed by the latter, on parts of the coast of Newfoundland, to the exclusion of British subjects; and at the same time proposed that instructions should be forwarded to the governor of that island to protect the British fishermen in all their just rights. By the

treaty concluded between this country and France at the peace of Utrecht, and continued down till the peace of 1814, the right of fishing on a part of the coast of Newfoundland was granted to France. This, however, was not an exclusive right. Latterly a misunderstanding had arisen as to the respective rights of the two countries. The answer returned by government to an application from the chamber of commerce of Newfoundland, in 1830, in regard to the construction of the treaty, was, that it did not know what rights were possessed under the treaties referred to. In this state of things a vessel was fitted out for the express purpose of proceeding to that part of the coast occupied by the French, and insisting on a right of fishing there. On his arrival, the commander of the vessel was informed by the French, that they claimed the exclusive right of fishing on that part of the coast. He immediately laid before the authorities a protest, for the purpose of preserving the rights of British subjects. He was ultimately, however, on the appearance of a French man-of-war, compelled to leave the coast. He thought, therefore, that government ought to take some steps to have the rights of British subjects, in reference to this matter, clearly defined. So far from any treaties giving an exclusive right to the French, they were expressly forbidden to make any settlement in that quarter for the purpose of trading. He moved, therefore, for an address to his majesty, to direct the law officers of the crown, to define the rights possessed by British subjects in Newfoundland, and that instructions be sent out to the governor to

maintain and protect those rights.

Mr. Poulett Thomson hoped, that the motion would be withdrawn, as the object in view might be better attained in another way. It was not advisable that the opinion of the law officers of the crown should be taken, in consequence of an address from that house; for, in such circumstances it would be necessary that government should adopt measures for the purpose of enforcing its decision. From any consideration which he had been able to give the subject, he had come to a very different conclusion from that of the hon. gentleman. Important interests were certainly involved in this claim, but he saw many difficulties in the way of its being established. All preceding treaties had been abrogated by the treaty of Paris, the right interpretation of which had long been a subject of dispute among members, even of the same government. He could assure the house, however, that the attention of government would be immediately directed to the subject; and he, therefore, hoped that the motion would be withdrawn.

Mr. Robinson was disposed to give way on this occasion, on the express understanding that the matter should be immediately taken up by government, as it was of importance, and affected the honour of the British flag;—and, after a few remarks from Mr. Baring, who regretted the indifference displayed by government to the fisheries of the empire, the motion was withdrawn.

Mr. Charles Grant announced, on the 4th of August, that the report of the committee on the subject of our communication with

had been laid on the table at home. There were two under consideration, the communicating with Bombay by the Red Sea, and the other by the Euphrates and Persian Gulf.

As to the former of the routes, the committee stated, experiments made for five or six seasons had completely established the practicability of the communication during the four months of the year. It was ascertained, however, that the communication could be effected during the four months of the year. It was proposed that the expense of establishing this communication should be borne between England and India. There appeared no physical obstacle to the route by the Euphrates and the Persian Gulf during eight months of the year. The estimated expense of the undertaking amounted to £1,000,000, to be defrayed by the British government. The passage by the Red Sea would not be practicable between the months of November and September inclusive; and

the line of the Euphrates would not be open between November and February. By the alternate use of these two routes a steam communication could be maintained with India during the whole year. A closer and more advantageous connection could thus be formed between England and her Indian territories. The course proposed to be adopted would give greater security to our Indian empire, and it was sound policy to avail ourselves of all modes of access to it with a view to the commercial prosperity of both countries.

Mr. Buckingham could see no possible objection to our facilitating the communication between the two empires; and Mr. Hume hoped that this was only a prelude to the assistance which India had a right to expect at our hands. He had no expectation of success by the Euphrates. The passage, however, by the Red Sea would, he thought, be found practicable, and satisfactory.

The vote was agreed to.

CHAP. X.

Prorogation of Parliament—Speech from the Throne—State of the Ministry—Irish Agitators—Affray at Rathcormack—Conduct of the Catholic Priests—Conduct of Lord Brougham—Dissolution of Lord Melbourne's Ministry—The King applies to the Duke of Wellington—Sir Robert Peel appointed Prime Minister—Formation of his Ministry—Dissolution of Parliament—The Act Abolishing Slavery carried into effect—Operations against the Rajah of Coorg in the East Indies.

ON the 15th of August, his Majesty prorogued Parliament, and addressed to them the following speech:—

“ My Lords and Gentlemen,

“ The numerous and important questions which have, in the present as in the two preceding years, been submitted to your consideration, have imposed upon you the necessity of extraordinary exertions; and it is with a deep sense of the care and labour which you have bestowed upon the public business that I at length close this protracted session, and release you from your attendance.

“ I continue to receive from all foreign powers assurances of their friendly disposition. The negotiations, on account of which the conferences in London upon the affairs of the low countries were suspended, have not yet been brought to a close; and I have still to lament the continued postponement of a final settlement between Holland and Belgium. On the other hand, I have derived the most sincere and lively satisfaction from the termination of the civil war, which had so long distracted the kingdom of Portugal; and I

rejoice to think that the treaty, which the state of affairs in Spain and Portugal induced me to conclude with the king of the French, the queen regent of Spain, and the regent of Portugal, and which has already been laid before you, contributed materially to produce this happy result. Events have since occurred in Spain to disappoint for a time the hopes of tranquillity in that country, which the pacification of Portugal had inspired. To these events, so important to Great Britain, I shall give my most serious attention, in concert with France, and with the other powers who are parties to the treaty of the 22nd of April; and the good understanding which prevails between me and my allies, encourages me to expect that our united endeavours will be attended with success. The peace of Turkey remains undisturbed; and I trust that no event will happen in that quarter to interrupt the tranquillity of Europe.

“ I have not failed to observe with approbation, that you have directed your attention to those domestic questions which more immediately affect the general wel-

of the community; and I have much satisfaction in sanctioning your wise and benevolent intentions, by giving my assent to act for the amendment and administration of the laws relating to the poor of England and Wales. It will be my duty to provide that the authority necessarily vested in commissioners nominated by the crown, be exercised with temperance and caution; I entertain a confident expectation that its prudent and judicious application, as well as the strict enforcement of the other provisions of the act, will by degrees remedy the evils which at present prevail, and whilst they tend to the character, will increase comforts and improve the condition of my people. The amendment of the law is one of your first most important duties, and I have to perceive that it has occupied so much of your attention. The establishment of a central court for the trial of offences in the metropolis and its neighbourhood, will, I trust, improve the administration of justice within the populous sphere of its jurisdiction, and afford a useful example to every other part of the kingdom. To the important objects of our jurisprudence and our municipal corporations your attention will naturally be directed in the next session. You may always rest assured of my intention to co-operate with you in all useful reformatory measures.

"Gentlemen of the House of Commons,

"I thank you for the readiness with which you have granted the supplies. The estimates laid before you were somewhat lower than those of former years, although they included several extraordinary charges which will not again occur. The same course of economy will still be steadily pursued. The continued increase of the revenue, notwithstanding the repeal of so many taxes, affords the surest proof that the resources of the country are unimpaired, and justifies the expectation that a perseverance in judicious and well-considered measures will still further promote the industry and augment the wealth of my people.

"My Lords and Gentlemen,

"It gives me great gratification to believe, that in returning to your several counties, you will find a prevalence of general tranquillity, and of active industry amongst all classes of society. I humbly hope that Divine Providence will vouchsafe a continuance and increase of these blessings; and in any circumstances which may arise, I shall rely with confidence upon your zeal and fidelity; and I rest satisfied that you will inculcate and encourage that obedience to the laws, and that observance of the duties of religion and morality, which are the only secure foundations of the power and happiness of empires."

The insanity of the speech was ridiculed by the following parody in the newspaper:
My Lords and Gentlemen,
It is with a deep sense of the exertion and labour which you have bestowed in the prosecution of your plea-

tures that I at length close this protracted session, and release you from attendance. I am fully sensible of the application you have given to the business of Crockford's, and of the ardent support you have afforded to the whist table at the Travellers', as well as to

Before the prorogation of parliament, the weakness and vacillation of the Ministry had been apparent; from the moment of Lord Grey's resignation, the want of intrinsic power and steadiness had rendered them dependent for their existence on the support of the radical faction, and of O'Connell's popish delegates: and this support was vouchsafed to them in such a way as tended to bring their government still more into contempt. The very men, whose

the more important parties at Graham's. I rely with entire confidence on your judgment and zeal in maintaining the cookery of our excellent kitchens according to the established principles of Ude.

"I continue to receive most favourable accounts of the white-bait dinners at Greenwich and Blackwall, and it is with great satisfaction that I have observed the two great parties in my parliament, encouraging those entertainments so peculiarly national, and showing agreement in a matter of taste so important to the fisheries.

"I continue to receive from all my neighbours assurances that they are my most obedient humble servants at command, and it is with sincere pleasure that I find myself held by many in high consideration.

"As the autumn advances, there is reason to apprehend that the days will shorten and the leaves will fall, but I am not without confident hopes that the return of spring will bless us with length of days and restore vegetation.

"The Thames continues to run through London, and the Monument stands on Fish-street-hill. The prospects of the Regent's Park are improved, and my people will be partially admitted to the privilege of taking the air without swallowing the dust of the road; but to guard the sudden privilege of walking on the grass from licentiousness will be the anxious object of my government.

"The insanity of the dogs during the summer solstice has long been a subject to me of the profoundest grief and concern, but I trust that the committee which has devoted itself to the preven-

votes continued them in office, avowed for them the most undisguised hatred and contempt. Between the end of the session and the month of October, O'Connell addressed a series of letters to lord Duncannon, in which every species of abuse was heaped upon the ministry and the Whigs.—"The Irish people" (thus he wrote) "complain loudly of the misconduct of the 'reforming administration' (called, for shortness, Whigs) towards them and their

tion of drunkenness will discover a method of removing the prejudice or delusion of my faithful dogs, and reconcile them to water.

"I have seen with a just indignation the racing of omnibuses, with which hundreds of my faithful subjects are pulverized, so that not even their names are left behind them. Persons living and well one instant, are run down, ground to powder, and flying in dust the next moment. These horrors are not unknown nor undeplored by me, and your attention will naturally be directed, early in the next session, to the adoption of some plan by which all my subjects will be enabled to ride in their own carriages.

"Gentlemen of the House of Commons.

"I thank you for your supplies. More money and less need of it is the anxious wish of my heart, and be assured that whatever you grant is well laid out, and that the profusest expenditure of which circumstances will permit is the wisest economy. The same course of frugality which has been proposed in my speeches and those of my predecessors for the last fifty years will be steadily pursued, but while it is pursued it is not in the nature of things that it should be possessed, and my people must consequently be satisfied with the pleasure of the chase.

"My Lords and Gentlemen,

"It gives me great satisfaction to believe, that in returning to your several counties you will find all at home well, and I rely with confidence on your setting a pretty example.

country. They allege, and they allege truly, that since earl Grey came into office, even to the present moment, nothing has been done for Ireland—no one advantage has been gained by the Irish people. Their enemies have been promoted and rewarded — their friends have been calumniated and prosecuted. Never was there known a more ungenial or hostile domestic administration in Ireland than that which has subsisted since earl Grey first obtained office, and still subsists. . . . I am ready to give a detail of the ‘follies, the faults, and the crimes’ of the Whigs in Ireland. I will not ‘set down aught in malice,’ but I will give a full and unexaggerated detail of the principal acts of folly, fatuity, and crime, committed towards and against the people of Ireland by the ministry since November, 1880. . . . I have two objects in view. The first is to vindicate the popular party in Ireland from a charge repeatedly made against them of having, without any just provocation, evinced hostility to the ‘Whigs.’ . . . My second object is to reconcile, if possible, the popular party in Ireland with the present ministry—to make us part of your strength not of your weakness, and in particular to strengthen the ministry in the approaching collision with the house of Lords. The reform of that house is essentially necessary to the establishment and security of popular freedom. I most anxiously desire to assist you in that peaceable struggle by which the house of Peers is, I trust, shortly to yield to common sense, and be converted by law into an *elective senate*, subject to the necessary control of public opinion.” In another letter dated the 11th

of October, he began in the following manner:

“My lord—I write more in sorrow than in anger—more in regret than in hostility. It is true that you have deceived me—bitterly and cruelly deceived Ireland. But we should have known you better. You belong to the Whigs, and after four years of the most emaciating experience we ought, indeed, to have known that Ireland had nothing to expect from the Whigs, but insolent contempt, and malignant but treacherous hostility.”

While the apostles of agitation thus openly domineered over the constituted authorities, there was little probability that the social state of Ireland should improve. Outrages were still frequent; throughout the greater part of the country it was nugatory to endeavour to enforce the payment of tithes; and the attempt in some instances led to melancholy results. One of the most deplorable of the affrays thus occasioned took place towards the end of the year at Rathcormack. On the 4th of November the impropiator of tithes in the parish of Castle Lyons represented to the Irish government, that the men whom he had employed to serve notices on the landholders of the parish, for the payment of the sums due to him, had met with very injurious treatment; and he requested that troops might accompany the civil power to protect the persons so employed by him. This request was repeated on the 11th of November by the magistrates assembled at the petty sessions of Rathcormack; and they were informed by Mr. Littleton in reply, that the officer in command of the troops in that neighbourhood would be instructed to order the

attendance of such a body of soldiers as might be necessary. On the 17th of November, in consequence of a more serious outrage upon a person employed by the impropriator, the magistrates repeated their request to the government: on the 25th of November, the magistrates were informed that troops were ordered to attend; and on their requisition, a party of troops was furnished on the 15th of December. On that day every disposition to resist was shown by the country people; but although it was necessary to read the riot act, the persons employed in the collection of the tithe succeeded in levying part of the sums due. On the 18th, however, a larger number of persons assembled, and attempted to obstruct the magistrates, and the civil and military force which accompanied them. The end of a lane, which led to a farm-house, was blocked up by a car: and a body of about 600 men resisted its removal and the further progress of the party. Orders were given by the magistrates to clear the passage; the violence of the people became greater. The riot act was then read. The troops were assailed by volleys of stones; some of the soldiers and officers were knocked down; and after every attempt to persuade the people to disperse had failed, the magistrates ordered the troops to fire. They fired; and a considerable number of the mob were wounded, and several killed.

It was not wonderful that such scenes should occur among a people, who were taught by their most dignified and influential religious instructors, that the laws of their country were of no binding obligation, and that to conspire to resist them was the first of

duties. Dr. M'Hale had been elevated to the see of Tuam; and since the death of Dr. Doyle had stood forth as the most strenuous advocate of Irish Popery. In a letter full of fustian and bombast, addressed to the Duke of Wellington, which he published about this time, he propounded the following doctrines:—
 “Your grace is not, I trust, one of those persons who imagine that the mere will of a sovereign or his ministers imposes the obligation of law; nor is it, I trust, your impression, that every enactment brings with it that solemn sanction, provided it is passed by a majority of the senate. No, my lord, all the united authorities of the sovereign and the senate, can never annex the conscientious obligations of the law to enactments that are contrary to right, reason, and justice; and hence the stubborn and unconquerable mutiny of the minds of the people of Ireland against those odious acts (I will not call them laws) which have ever forced them to pay tribute to the teachers of an adverse creed.” The letter concluded with this passage:—“Compositions and land taxes in lieu of tithes are all vain artifices. If the landlords take on them the payment of tithes, and attempt to charge them on the tenantry, then the landlords will be conspiring against the payment of their rents, nor need they any more dangerous combination, I shall freely declare my own resolve. I have leased a small farm just sufficient to qualify me for the exercise of the franchise, in order to assist my countrymen in returning those, and those alone, who will be their friends, instead of what their representatives usually

their bitterest enemies. I therefore confess, that after as the landlord his rent, neither to parson, nor proctor, nor clerk, nor agent, nor any other individual shall I consent to pay, in shape of tithe or any other penny which shall go to the out of the greatest nuisance in or any other country."

circumstance, which contributed not a little to lower the reputation of the ministry, even with those who were favorable to liberal views, was the hostility evinced even by a considerable portion of the public press. There was only a daily newspaper, except the *Morning Chronicle*, which did not occasionally express contempt for them: *The Times* in particular exposed their feebleness and their incapacity to carry on government on any fixed set principles: and it drew the attention of the public to the gross vagaries and inconsistencies in which the lord chancellor engaged. Lord Brougham's own conduct tended not a little to bring his colleagues into contempt. He spent the autumn in traversing different parts of Scotland, making speeches wherever hearers were to be found. This would have been very decorous in an able and distinguished functionary, even if the matter uttered had been unobjectionable; but too often both the substance and the manner were such as sober reason could not approve or justify. At times his lordship would not hesitate to go the utmost lengths of ultra-radicalism; in another, he would speak in such a way as to have induced the conservatives to hail him as their own: and, in the house of peers would be the subject of his eulogy: to-

morrow it would be held up to scorn and ridicule. Sometimes the violations of decency became ludicrous. At Inverness his lordship assured his audience, that he would write to the king by that night's post to inform his majesty of the loyal sentiments they entertained.

The death of earl Spencer, which took place on the 10th of November, hastened that dissolution of the ministry, which, in the natural course of things, could not have been long delayed. As that event removed lord Althorp to the House of Lords, it was requisite to find a new chancellor of the Exchequer, and a new leader of the House of Commons. On Friday, the 14th of November, lord Melbourne waited on the king at Brighton, to submit to his majesty the changes in official appointments which the death of earl Spencer had rendered necessary. Lord John Russell was the individual selected to be the leader of the House of Commons. It appeared to the king, that the public business could not be carried on by a ministry, such as it was proposed to construct; and he expressed, it is said, his opinion that Lord Brougham could not continue chancellor, as well as his dissatisfaction with the selection of the members of the cabinet who were to frame the Irish Church bill. He therefore announced to Lord Melbourne that he should not impose upon him the task of completing the official arrangements, but would apply to the Duke of Wellington; and accordingly a letter to sir Henry Wheatley, enclosing another to his grace, was transmitted to London on the same evening by lord Melbourne or one of his

servants. On the following day the duke of Wellington waited on his majesty, and advised him to entrust the government to sir Robert Peel; and as sir Robert, with lady Peel, had left England in the month of October, to spend the winter in Italy, he generously offered to carry on the public business till sir Robert's return. This course was adopted; and, as a temporary arrangement, his grace was appointed first lord of the treasury, and sworn in as one of the principal secretaries of state. On the 21st of November, lord Lyndhurst received the great seal, and took the oaths as lord chancellor; but he did not resign the office of lord chief baron, till the settlement of the ministry in December. Lord Brougham wrote to him, proposing that he (lord Brougham) should be appointed lord chief baron, and offering to accept the office without any salary in addition to his pension as ex-chancellor. Lord Lyndhurst returned a courteous answer, that no arrangements could be made as to any appointment, till the return of sir Robert Peel; and a few days afterwards lord Brougham withdrew his request.

The messenger, who had been dispatched to sir Robert Peel, arrived at Rome on the evening of the 25th of November, and delivered his credentials. On the following morning, sir Robert left Rome, along with lady Peel: he arrived in London on the morning of the 9th of December; and, on the same day, had an audience of the king, and accepted the office of prime minister. One of the first steps taken by him was to propose to lord Stanley and sir James Graham, that they should

be members of the new administration, but they both declined to pledge themselves to the extent to which they might be considered bound by the acceptance of office.

By the end of December, the official arrangements were completed. Sir R. Peel was first lord of the treasury, and chancellor of the Exchequer; lord Lyndhurst, lord chancellor; the earl of Rosslyn, president of the council; lord Wharncliffe, lord privy seal; the duke of Wellington, secretary of state for foreign affairs; Mr. Goulburn, secretary of state for the home department; the earl of Aberdeen, colonial secretary; Mr. Alexander Baring, president of the board of trade; sir George Murray, master general of the ordnance; sir E. Knatchbull, paymaster of the forces; earl de Grey, first lord of the admiralty; lord Ellenborough, president of the board of control; lord Maryborough, post-master general; the earl of Jersey, lord chamberlain; the earl of Roden, lord steward; lord Lowther, vice president of the board of trade, and treasurer of the navy; Mr. C. Wynn, chancellor of the duchy of Lancaster; Mr. Herries, secretary at war; Mr. F. Pollock, attorney general for England, and Mr. Follett, solicitor general. The earl of Haddington went to Ireland as lord lieutenant; sir Edward Sugden was appointed lord chancellor of Ireland, and sir Henry Hardinge, chief secretary to the lord lieutenant. Sir James Scarlett succeeded lord Lyndhurst as lord chief baron of the exchequer, and was raised to the peerage by the title of lord Abinger.

Sir Robert Peel expounded the principles on which he proposed to conduct the go-

vernment in an address to the electors of Tamworth*, the borough which he represented. On the 30th of December a proclamation was issued dissolving the parliament, and convoking a new parliament, which was to meet on the 19th of February, 1835.

On the 1st of August, in the present year, the act for the emancipation of the negroes came into operation; and though in some of the islands, symptoms of insubordination were exhibited, and the planters were obliged to have recourse to punishment and force, in order to overcome the reluctance of the black population to regular labour, yet on the whole, this great change took place with much less mischief than had been apprehended. No where did the disturbances assume a serious character; and no where were they attended with any serious injury to property. In Barbadoes, there was perfect tranquillity and order; and in Jamaica the transition was accompanied with very little alarm or commotion. Every where the colonial legislatures exhibited a willingness to give full effect to the enactment of the mother country.

In the beginning of the year, some military operations took place in the Mysore district, in the East Indies; they were directed against the Rajah of Coorg, an independent prince in alliance with the company. He had, it is said, by many acts of oppression and injustice towards his subjects, rendered himself very unpopular; and his conduct towards his sister and her husband had been such, that, to save their lives, they had been obliged to seek refuge in the

British territory. The Rajah, in consequence, addressed letters to the governor-general couched in the most insulting terms; he assumed an attitude of defiance, and instigated and encouraged others to adopt the same course. Many of his excesses had been passed over; but at length the governor-general had considered further forbearance impracticable and impolitic; and a proclamation was issued, notifying that a British army would be dispatched to invade the Coorg territory, and that Verr Rejundi Woodier should no longer be considered as Rajah of Coorg. The proclamation proceeded to state, that such a system of government would be established as seemed best calculated to secure the welfare and happiness of the people. All British subjects engaged in the service of the Rajah were ordered immediately to leave him, and to seek the protection of the British authorities; and those, who should continue to serve or assist him were declared traitors. In April, several bodies of British troops and sepoy proceeded against the Rajah. On entering the Coorg territory they met with but little resistance; but upon approaching the capital, they found that strong stockades had been erected, within which the Rajah had concentrated his forces. An attack by one detachment of the British forces, was attended with only partial success, and with the loss of seventy men and four officers. But on the 16th of April, a division of one of the British columns took possession of Mudkerry, the Rajah's capital; and the whole of the Coorg territory submitted to the dominion of the company.

[Z]

See Domestic Public Documents.

CHAP. XI.

FRANCE.—*Opening of the Chambers—King's Speech—Debates on the Address—Bill against Public Hawkers of Journals—Bill for the Suppression of Political Societies—Disturbances at Lyons—Riot in Paris—Finances—Proposals to Lower the Amount of Import Duties—Modifications of the Peerage—Bill for Satisfying the Claims of the United States against France Rejected by the Chamber of Deputies—Changes in the Ministry—Session closed and the Chamber dissolved—General Election—Formal Meeting of the New Chamber—Royal Speech and Address—Marshal Soult resigns, and is succeeded by Marshal Gerard—Investigation by the Peers into the Disturbances at Lyons and Paris—Marshal Gerard and all the Ministers Resign—The Duke of Bassano forms a new Ministry—The Duke of Bassano and all the Ministers resign—The Duke of Treviso made Prime Minister, and the old Ministers return—Prosecutions against the Press.*

THE French Chambers assembled on the 23rd of December, 1833—the last session that could take place before the period of a general election would return. His Majesty opened the session with the following speech :—

“Peers and Deputies—Gentlemen,—

“The tranquillity of France has not been disturbed since your last session. It is in the enjoyment of the blessings of order and peace. Throughout the country industry and labour meet with their reward. The population, occupied and peaceful, feels assured of the stability of our institutions, of my fidelity in watching over them, and the public security is the pledge of national prosperity.

“It was by guaranteeing our rights, protecting our interests, and by the equity and moderation of our policy, that we have obtained these happy results.

“In order to render them lasting, we shall persevere with energy and patience in the same system. An unceasing vigilance is still necessary; insensate passions and culpable manœuvres are at work to undermine the foundations of social order. We will oppose to them your loyal concurrence, the firmness of the magistrates, the activity of the administration, the courage and patriotism of the national guard, and of the army; the wisdom of the nation, enlightened as to the danger of the illusions which those who attack liberty, in pretending to defend it, seek

still to propagate, and we shall insure the triumph of constitutional order and our progress in civilization. It is thus, gentlemen, that we shall at length put an end to revolution, and that we shall fulfil the wishes of France. I thank her for the support she has given me ; I thank her for the tokens of confidence and affection with which she has surrounded me. I received them with emotion in such of the provinces as I have been able to visit, and I render thanks to Providence for the blessings which our country already enjoys, and for those which the future promises.

“ You will also second me, gentlemen, in my endeavours to protect the increase of our national wealth, in opening to our commerce and industry new sources of prosperity, and in spreading comfort, combined with labour, throughout all classes of the population.

“ I hope that the new laws of customs, while it evinces the progress of our industry, will reconcile the protection which is due to it with those principles of prudent freedom which enlightened governments are disposed to admit.

“ Popular instruction has received, thanks to your concurrence, a salutary impulse.

“ The finance laws, and those which the execution of treaties requires, will be speedily presented to you. The public revenue improves, and everything promises that it will continue to follow the ascending movement of our prosperity.

“ Several projects of law, some of which have been already presented to you, will be submitted to your deliberation again. I have reason to hope that the promises of the Charter will be accomplished in the course of this session.

“ I am happy to announce to you that our relations with all the Powers, and the assurances that I receive from them as to their dispositions, leave no doubt as to the maintenance of the general peace.

“ The Peninsula has become the theatre of important events.

“ As soon as the Government of the Queen, Maria II., was established in Lisbon, I renewed our diplomatic relations with Portugal.

“ In Spain, the death of the king, Ferdinand VII., has called the princess, his daughter, to the throne. I hastened to acknowledge the queen, Isabella II., hoping that such prompt acknowledgment, and the relations it established between my government and the queen regent, would contribute to preserve Spain from the convulsions with which she was threatened. Already tranquillity is beginning to be restored to the provinces in which rebellion has broken out. The *corps d'armée* which I have ordered to be formed, at all events, protects our frontiers.

“ Continuing to be intimately united with Great Britain, we have every reason to hope that the difficulties which still retard the conclusion of a definitive treaty between the king of the Belgians and the king of the Netherlands will compromise neither the great interests of Belgium nor the tranquillity of Europe.

“ Switzerland has been momentarily disturbed by dissensions, which the prudent firmness of her government in a short time put down. I hastened to render her the services that she had a right to expect from a faithful and disinterested ally.

“ The Ottoman empire has been threatened with great perils. I

was anxious to hasten a pacification at once called for by the interests of France and the stability of European order. I shall continue my efforts to insure its preservation.

“The events which I have just mentioned, and especially the situation of the Peninsula, have rendered it my duty to maintain the army upon the footing required by the safety of the state.

“Let us consummate our work, gentlemen; let order, powerful and respected be henceforth sheltered from all attack;—let the efficacious protection of the national interests dissipate the last hopes of the factious, and France, happy and free under the tutelary shield of the government which she has founded, will at length pursue, without obstacle, a course of prosperity. This is my most ardent wish, and you will assist in securing its entire accomplishment.”

The election of the officers of the Chamber of Deputies, which immediately followed, shewed that the opposition had not been gaining strength, and did not seem to threaten the government with the necessity of making inconvenient concessions. M. Dupin was re-elected president by 220 votes out of 299. Lafayette obtained only 39; M. Lafitte, and M. Odillon Barrot, only 11. Ministers were equally successful in regard to three out of the four vice-presidents. For their fourth candidate, they had selected M. Persil, unpopular on account of his innumerable prosecutions against the press, and still more so, because so many of these prosecutions had terminated in acquittals. M. Berenger united a majority of votes against him, being supported by a large body of

the usual supporters of ministers but M. Berenger himself could be considered as a member of opposition. A new party, however, began to develop itself in the chamber, professing to mediate between the republican predilections of the opposition and the despotic tendencies of the government. From want of any appellation better suited to mark its ill-defined principles, it assumed the name of the *tiers parti*, M. Dupin was considered as leader. They affected to regard only the wants and wishes of the calm and impartial lover of orderly freedom, more liberal than the *doctrinaires*, less outrageous and warlike than the opposition but they had many more opinions in common with the ministry than with its antagonists; and, as they were looking forward to the session of power, they were careful to take no position which might lead them to break irreconcilable with the court. Though willing to seize all opportunities of making the government feel their importance, they resisted none of its proposals for ruling with sternness and severity; they lent their aid to limit the modes of circulating periodical writings; and though they proposed some mitigating clauses to the bill for prohibiting all associations formed without authority of government, they joined in saving the unpopularity of the ministerial project from the opposition. It was in matters of finance that this party perplexed and pestered the government. Containing many men well-skilled in financial science, and intimately acquainted with the financial interests of the state, it took advantage of the economical disposition of the chamber, always most marked

he session which precedes a lution, to thwart the money igements of the cabinet. By ng with the opposition, it dis- l the ministry from putting : than a bare majority of their adherents on the budget com- æ, and carried the election of of its own members, M. Passy, airman of that committee, in sition to M. Odier, who was osed by the government. It elled the war-minister to cut his estimates, and prevented chamber from voting the mo- necessary for the execution of aty with the United States. ie address proposed by minis- and very little altered by the nittee, although ultimately ed by an overwhelming ma- r, supplied matter of debate veral days. In regard to do- ic policy, the opposition, and members who were not of the ition, denounced the inces- prosecutions of the press, and more certain suspicious ex- ions in which the Attorney- ral had indulged, as to the sity of modifying Trial by where juries, from intima- or from factious motives, re- to convict. In any circum- es, such doctrines would be istitutional; and at all events, e juries were accused of hav- ailed in their duty, it ought : ascertained whether it was d prudent that the prosecu- should have been brought— er there was any probability taining a verdict—whether had been conducted with suf- t ability—and whether the : had been sufficiently pro- l against the probable or pos- consequences of a conviction. attorney - general and his ls maintained that the press,

instead of being persecuted, was, in truth, the persecuting party. Members had only to look at the journals and pamphlets heaped up- on their tables, or listen to the ob- scene publications hawked under the very windows of the King's palace, "by venders dressed in a costume which might make them be taken for messengers of Satan"—to decide whether or no the press was free. Juries had all the protection which the law could give them. Some jurors having been insulted, the attorney-gene- ral had instituted a prosecution that very day, and had obtained a conviction. The debate drew forth in the chamber, some open avowals of republicanism. We have mentioned in our preceding vo- lume, the formation of a society styling itself, "The Society of the Rights of Man," which had put forth a declaration announcing that it was constituted for the purpose of propagating the creed of Robes- pierre, and obtaining a government which would reduce that atrocious theory to practice. They were thus associated to overturn every existing institution, and to abolish among other things, all existing rights and laws of property. Their leaders had been tried, but were acquitted. Their declaration had been signed by two members of the chamber of deputies, M. d'Ar- genson and M. Audrey de Puyra- veau. Against them no proceed- ings had been adopted; the failure of the first prosecution probably saved them from the animadver- sion either of the attorney-general, or of the legislative body to which they belonged. In the debate on the address, however, General Bu- gcaud observed, in reference to the oath taken by every deputy when he enters the chamber, "Some

one has dared to assert that two of our colleagues have signed an odious declaration. I hope they will not remain silent on this point." M. d'Argenson immediately mounted the tribune. He declared, that the principal article of his political creed was equality. The sovereignty of the people having been proclaimed in 1830, it appeared to him very unfair to have endeavoured since to exact from each individual citizen, an abnegation of his part of the sovereignty. If such a proceeding were permitted, then was the national sovereignty nothing more than a legerdemain trick. It was not possible for a man to abandon thus all his rights, and for ever. It must be justifiable for any one, even for a deputy, to say to the people, "You are sovereign, you have the power of perfecting your institutions; the oaths which have been taken, have been taken by you alone; reflect, see what you want—say if you prefer something else to that which now exists; everything is comprised in the words—you are sovereign." He was followed by M. de Puyraveau, who would recognize no right in any one to question him there, as to what he might have done out of the chamber. He had no hesitation in avowing that, in the manifesto of the "Society of the Rights of Man," he found the elements of human happiness, and therefore he had signed it. He ardently desired a change in the political laws of the country, for such a change could alone remedy the evils under which the country was suffering. A M. Deludre declared, that he agreed in the opinions of these two gentlemen, and had likewise signed the manifesto in question. M. Garnier Pages, too, although

he had not mixed himself up with this notorious society, would not hang back from professing his republican creed. "You tell us," said he, "that an entire liberty of speech is permitted in the tribune; yet when a member proclaims himself a republican, and wishes to explain why he is so, he is met with outcries and reproaches. You provoke us to explain ourselves. Ministers of the king, beware! This is a discussion fraught with danger. It has been imputed to us, that we wish to establish a regime of blood. We have never, by the remotest implication, called for such a regime. What we wish for is the welfare of the people, and that is not to be found in a regime of blood. We have been accused of attacking the rights of property: that is, also, a false imputation. Friends of industry, we never could think of contesting his right to his property, who has gained it by his industry; all that we wish for is, that by means of industry every man may be enabled to gain property, both more speedily and more easily." The ministers declared it to be scandalous that such doctrines should be preached in the very sanctuary of the constitution. "Deputies of the nation," exclaimed the keeper of the seals, "You are here by virtue of the charter—by virtue of the oath you have taken. If the oath be too heavy for your consciences, retract it; the chamber will listen to you, and will judge, after hearing you, how far your character of deputy still exists." "He was convinced," he said, "of the sincerity with which these republican members entertained their opinions; but they were placing lighted brands in the hands of the factious; and if some violent tu-

mult were to be the consequence, they would not be justified by their intentions." The Carlist party, while they denied the charge of being united with the republicans, seemed to think that, looking at what was done in 1830, government was scarcely justified in denouncing men who declared for a republic, and, in doing so, were encroaching on that 'sovereignty of the people,' on which alone rested every thing that had then been done. The revolution of 1830 was not merely an event; it was a total change of the regulating principle of society. It might be a bad principle that was introduced; but it did not become those who laid it down, to complain of its consequences. They had produced in the country a struggle between these consequences and a principle of a different kind, by which they now endeavoured to resist them." "France," said M. Berryer, "is monarchical in her habits—her recollections, and her interests; above all, she is monarchical when considered in her relations to the other states of Europe. But practically, France is a republic; she is republican in the principles which have been so long triumphing—by the still increasing division of property—by the complete abolition of all privileges and all social distinctions—by that individualism, which is every day penetrating deeper into, and corrupting, social life—by the greater number of the institutions which she possesses—and, finally, she is republican by that innumerable National Guard in arms, over the whole kingdom."

Foreign policy, however, occupied a larger portion of the discussion, than matters connected with the internal state of France. The

opposition members, according to custom, reproached the government with having allowed Poland to fall, permitted Austria to put down the liberals of Italy, and even suffered the courts of Vienna and Berlin to encroach on the constitutional rights of the German States. M. Bignon, in particular, entered at great length into Foreign politics, and laid down this principle, that France neither had recognized, nor could recognize any change in Europe which had taken place without her consent. He had been a member of the committee on the address, and stated that the committee unanimously agreed in this declaration, that if alterations should take place in the mode of existence of some countries, or the limits of their territory, France could not acknowledge such changes, operated, in violation of the treaties which settled Europe, to her prejudice, to the prejudice of the European order of things, and without her concurrence. In applying the principle, M. Bignon laid it down, that the present state of Poland was merely "a material fact," which France did not, and could not recognize, and which England, likewise, had refused to recognize. "If Poland is subjugated, oppressed, crushed, it is in defiance of the general treaties to which the cabinets of Paris and London are parties, and of which they are the guarantees. On account of the difficult circumstances in which Europe is involved, England and France have abstained from taking up arms in defence of these treaties, but they have protested against their violation. The possession of Poland, under the title of a Russian province, has not been recognized as an European right. If the sword

has established the fact of physical possession, the sword constitutes no rights. The day that the Poles themselves shall break their chains—the day when other nations shall enfranchise them from the bloody yoke which is weighing them down—on that day right resumes its empire, and humanity triumphs over barbarism. All is not lost for Poland; there remains a patriotism in it, which confiscations, prisons, and tortures, cannot destroy; there still remain for her, generous affections in the hearts of several kings; there remains for her the sympathy of all nations; there remain for her Providence and the future.” The same sentiments were expressed regarding the dependence of Turkey upon Russia, and an anticipated dismemberment of the Ottoman empire. M. Mignon mentioned, although he did not give his authority for the statement, that after the interviews between Napoleon and Alexander at Erfurth, in 1808, the latter proposed to the French emperor, a partition of the Turkish dominions. Napoleon was to have Bosnia, Albania, the Morea, and the Islands—to be left at liberty to act as he chose in Spain and Italy, and to be recognized as the political master of Germany. The other dominions of the Porte were to be given to Russia. The proposal failed, because Alexander would not consent that Constantinople and the Dardanelles should be included in the share of France. Germany, too, and Italy, it was said, were threatened with changes which it was right to declare, beforehand, France would not recognize. There could be no doubt, it was argued, but the Congress of ministers, now assembled at Vienna, had met only to add new links to

the chain, which kept the secondary States of Germany dependent on Austria and Prussia. If new arrangements should endanger the independence of some States, and secure the aggrandizement of these two powers, such combinations would be treacherous to France, and destructive of the balance of Europe; and France, therefore, would never acknowledge them, whatever she might determine as to active opposition. In Italy, Austria had already destroyed independence, and imposed on the people servile silence, under the pain of military execution. Even this was too much; and farther than this, France could not allow Austria to proceed, nor would she recognize any new system of organization, tending to deteriorate still more the condition of Italy.

These principles amounted to a claim on the part of France, to put an absolute veto on all changes of territory or government in Europe, not recognized by the treaties of 1815, and a right to prevent them by force, whenever she might think that she could interfere with effect. The doctrine, indeed, was limited to such changes as might be “to her prejudice,” or to the prejudice of “the European order of things: but she herself was to be the sole judge whether such was the character of any given change, otherwise the right which she demanded was useless. The principle, therefore, was one of incessant interference even in the internal affairs of other states, and the form of their government, as well as in territorial changes; and this, too, without regard to the treaties of 1815, which were put forward as the foundation of the right. Thus it was clearly intended that, if the Germanic Diet should introduce

general measures which extended the influence of Austria and Prussia in the confederation, France would claim the right of interfering, and would make it merely a question of expediency, whether or not she should employ military interference to resist their introduction. Yet the treaties of 1815 recognized the power of the Diet to impose such general regulations; and the articles of the Confederative Union expressly placed the relations established by the form of government of any particular state in subordination to those which united it to the Diet. The hypocrisy of this pretended adherence to the treaties of 1815, as a flimsy veil to cover the restless ambition of interfering in every thing, was still more glaring, when compared with the conduct of France in the separation of Belgium from Holland. If any European arrangement rested on the treaties of 1815, it was the union of these two countries. In this separation there was a change both of territory and of government, a change which in both respects, made a large addition to the political influence of France. But the right which France claimed to herself, she could not refuse to Britain, Prussia, Austria, or Russia. Would she then have admitted the validity of a prohibition from St. Petersburg against the dismemberment of the kingdom of the United Netherlands, because the Emperor Nicholas considered that dismemberment to be prejudicial to Russia, and a most violent change of the "European order of things," established by the treaties of 1815? On that occasion France took arms, not to enforce these treaties, but to violate them, be-

cause the violation of them gratified her own lust of power; and the only legitimate result of her present opinions would have been the appearance of a combined army of Russians, Austrians, and Prussians, to protect the citadel of Antwerp. Hostile, however, as these principles were to all foreign powers, and loudly though they called on the subjects of an allied sovereign to rise in revolt against him, they were applauded by the chamber, and adopted by the king's ministers. The foreign minister, the Duke de Broglie, expressed his concurrence in every one of them, and thanked M. Bignon for having so well expounded them. "The principles which he has put forward we admit; what he desires, we shall endeavour to effect." The opposition immediately hailed this declaration as an accession to all their views of foreign politics; and M. de Broglie found it necessary, on the following day, to take an opportunity of explaining and modifying the frankness of his previous professions, so as to render them less offensive to foreign powers.

The complaints which ministers had made, during the discussions on the address, of the licentiousness of the political press were followed up by the introduction of a bill to restrict the circulation of public journals and pamphlets by means of hawkers or criers. The Parisian press was pouring forth floods of periodicals, many of them ephemeral, but all of them, with a few exceptions, hostile to the existing government; some of them maintaining openly, the cause of the exiled family, while by far the greater portion preached without disguise the doctrines of the worst period of the republic, not as

speculative opinions, but as rules of conduct on which the citizens were called immediately to act. They were often marked by a still more irritating feature—personal abuse and ridicule of the king, and not unfrequently they were grossly immoral. These periodicals, pamphlets, and broadsides were hawked about the streets by public criers, who by no means confined their genius to what had been set down for them in print, but extemporized such titles and commentaries as they thought would be most commendatory of their wares, without much regard to royalty, government, or decency, making verbal sedition the vehicle for circulating the written libel. A considerable portion of the circulation of the regular stamped evening journals, such as the *Gazette de France*, and the *Messenger de Chambres*, was effected by means of similar instruments, and the government, in self defence, had adopted the same mode of distribution. The ministers stated the number of persons who thus gained a livelihood as never having exceeded 350; their opponents rated them as high as 1,200; but whatever might be their number, government resolved to place them under a restraint by which they would be made dependent on the police. A bill was accordingly presented to the chamber of deputies, by which it was declared unlawful for any person to exercise, even temporarily, the trade of crier, vender, or distributor in the streets, of writings, designs, or emblems, whether printed, lithographed, or in manuscript, cast, engraved, or modelled, without having previously obtained a licence from the police, which licence the police was not

bound to grant, and which, when granted, it could at any time recall. The bill was vehemently resisted by the opposition, as being a disguised attack on the liberty of the press, intended to pave the way for assaults more open and fatal. They argued that the publications in question must be presumed to be innocent, for, notwithstanding the obstinacy with which the Attorney General had persevered in his prosecutions of supposed libels, none of these publications had been called in question. If they were not innocent, why had they been allowed to go unpunished? It could not be said that the law had been tried, and had failed; and yet new enactments were called for. Not one of the public criers had yet been brought to trial; why, then, deprive them of the right of every man to earn his bread by an occupation not illegal? It would be better at once to restore the censorship, than establish so partial a monopoly of an innocent branch of industry. True it was, that some of these publications demanded the restoration of the Bourbons, and others the revival of the republic; but these were fooleries which a firm and prudent government would despise, just as the people of Paris paid no more attention to the loud-mouthed hawkers of political disaffection than to the innocent venders of apples and liquorice-water. The measure would necessarily establish a monopoly. The privilege of hawking and crying would be extended only to the hirelings of the police; abuse and ribaldry would still prevail, but they would be all on one side. At present the ministerial press itself made use of these instruments to propagate the most shameless

calumnies against the members of the opposition, and now they would do it without contradiction. Neither were all the dangerous-sounding titles, which might be heard in the streets, to beset down to the account of sedition; for it was a trick of the government scribblers to excite curiosity by giving their lucubrations names which promised just the reverse of what they actually contained, and half the libellous announcements to be heard on the Boulevards were advertisements of ministerial publications. People who heard the hawkers bawling in the evening "Father Philip's Geese"—"Louis Philippe treated as he deserves"—"The Horrors of the Government of Louis Philippe"—naturally would suppose that the streets were resounding with libellous and seditious cries; but when they bought the sheets which were thus proclaimed, they found them to contain neither more nor less than fulsome panegyrics of the king and his government.

The ministers maintained, in support of the bill, that the means of repression afforded by the existing law were insufficient to meet the evil. There were journals which had insulted the king daily for the last two years. They had been prosecuted, and sometimes convicted, but next day were at their dirty work again. Was that a sufficiently protective law, which could give no other redress than allowing the injured party the privilege of bringing 365 prosecutions per annum? Neither would it do to trust to silent contempt for the repression of these seditious and immoral publications; this would only be giving encouragement to unbridled licence, and

that again would destroy every thing valuable in society. The proposed measure was no unconstitutional interference with the rights of industry. The public criers did not form a profession; they were generally unemployed workmen, who, to gain a few sous, lent themselves for a moment to be the agents of this ambulatory mode of publication. But even if they had constituted a regular trade, there were various other branches of industry which the law had placed under certain limitations, with a view to the public interest, and there was no reason why street criers should not be subjected to the application of the same rule. Why should the hawker of broadsides be placed in a more favourable situation than a coal-porter, who required a license from the police? Was due attention to the measure and quality of charcoal more important than the respect due to the government, and the observance of decency and morality?

The bill was carried by a considerable majority, the *tiers parti* lending their assistance to the ministry. An amendment which went to except from the operation of the law decisions of the courts of justice, and the acts of the constituted authorities, enacting, at the same time, that the criers of these publications should strictly confine themselves to the proper title, without any amplification, was rejected, because it would be impossible to prevent these provisions from being constantly evaded. The bill encountered no opposition in the upper chamber except from certain peers who thought that it did not go far enough.

This measure was followed by one of a still more despotic cha-

racter, directed to the suppression of political clubs and societies. The criminal code prohibited the formation of associations consisting of more than twenty persons without the authority of the government; an enactment first made to support the despotism of Napoleon, and retained by the liberal revolutionary government of 1830. But that government now discovered, that even this law was insufficient for its protection, because they allowed it to be violated, or could not prevent it from being evaded. There was no doubt that numerous associations had been formed, both in Paris and in the provinces, particularly in Burgundy, the declared object of which was to overturn all existing institutions, subvert the rights of property, and renew what the wildest and most savage members of the National Convention had denominated a republic. They made no secret of their designs. They openly stigmatized Louis Philippe and the monarchy as an usurpation which had defrauded the country of the rights it had acquired by the revolution of 1830, and frankly declared that they only waited for, and were labouring to create, a fit opportunity for acting. To furnish ministers with the best possible evidence of the law being inefficient, these societies boasted of their numbers and organization, of their discipline and their union, the very results against which the enactments of the criminal code had been directed. As the letter of those enactments prohibited a greater number than twenty persons from assembling at a time, they formed themselves into sections of nineteen members, with a president or chief, and the union of these presidents or chiefs

gave the whole body of associations all the benefits of concerted and common movements. Thus there might exist, in the same town, a number of connected associations, all combined for the execution of the same plan, and governed by the same rules, communicating their resolves to each other, and organized for mutual support without transgressing the law by having any one association more numerous than the statute allowed. They did not always condescend to use this practical sophistry; and when their members were then brought to trial for an open violation of the law, they obtained acquittals by attacking the law itself, abusing the judges, and intimidating or seducing the juries. Adhesions to their republican doctrines were openly proclaimed, it has been seen, in the tribune of the chamber of deputies. To their unceasing activity was ascribed every partial insurrection or disturbance; to them it was imputed that they created and directed combinations of workmen, and exasperated dissatisfaction between the labouring classes and their employers into causes of revolt against the state. Even the scuffles which occasionally took place between the police and the political hawkers in carrying into execution the new law against the public criers, were laid at the door of these turbulent societies.

To remedy the evil, the bill introduced by the ministry enacted, 1. that every society should be illegal, however small the number of persons of whom it might consist, unless it previously received the sanction of the government; 2. that the punishment should be increased; and 3. that all breaches of the law should be triable by

the tribunals of correctional police, without a jury. These were provisions of very despotic energy; and the very ministers who now proposed them, had been accustomed, before the revolution of 1830, to inveigh against the old law, which was mildness and unrestrained freedom when compared with the new code which the principles of that revolution had thus terminated in rendering necessary. Nor was this rigorous mode of government the temporary appointment of a dictator till a temporary and dangerous crisis had passed away. We have had in our own country, coercion bills, and suspensions of the habeas corpus act; but these have always been declared to be temporary in the very act of their creation. The French ministry, however, introduced the new law as a necessary part of the settled constitution of the country. Amendments were moved limiting its duration to the end of the session of 1836—to five years—to seven years. The government successfully opposed them all; the Keeper of the Seals declaring that the ministers considered such amendments to be completely destructive of the principle of the bill. The societies themselves assembled in greater numbers than ever; they voted and published resolutions, in which they addressed to the government and the chambers the most menacing language, and openly declared that if the law should pass, they would not obey it. Even in the chamber, M. Pagès,—quoting the violent language of Mr. Fox, that only a corrupt majority would attack the right of association, that the nation, when robbed of a sacred right, was entitled to resist, and that obedience then ceased to be a

duty, and became only an act of prudence,—stated from the tribune his determination not to submit to the law, and to join all who should be willing to resist it. The audaciousness of the societies and their abettors only enabled the ministry to resist more successfully every attempt to mitigate the severity, or abridge the duration, of the measure. Many amendments were proposed, most of them tending to except from the bill associations and meetings for purposes religious, commercial, or literary. To all of them the government had one answer, that, if exceptions were specified in the act, the prohibited societies would conceal themselves under the name and form of the excepted bodies. Louis Philippe seemed to have learned wisdom from Lord Grey's hunt in Ireland after O'Connell and the Catholic association. M. Berenger, an adherent of M. Dupin and his *tiers parti*, proposed to substitute for the bill another which should render it imperative in every society to register its name, objects, president, and members, and to admit to its meetings some agent of administration or conservator of the public peace, either a mayor or a prefect, and which should give ministers the power of dissolving any association on their own responsibility, on condition of reporting such acts to the chambers at the commencement of every session. But even this would not satisfy the government, which carried its measure unaltered by a majority of 246 votes against 154; for the *tiers parti*, though some of its members supported some of the amendments, preferred the ministerial bill to no bill at all. Thus within four years after France had de-

throned, or had consented that a faction should dethrone, a dynasty under the pretext of its being hostile to public liberty, she found herself compelled to submit permanently to fetters still heavier and more galling—furnishing another argument to those who are inclined to conclude, from her political history, that some modification or other of despotism is the only government compatible with her public tranquillity, and that her sceptre should never be wielded except by “the iron hand in a velvet glove.”

The progress of this bill had been accompanied, and its enactment was followed, by occurrences in the South of France, which furnished government with an opportunity of applauding its own wisdom, and justifying its severity. The spirit of combination among artisans, which had already fashioned itself into so complete a system of organization in Britain, had now taken up its abode in the manufacturing towns of France. As the workmen combined for the ostensible purpose of mutually protecting each other against any proceedings of their employers which they might deem prejudicial to their interest, they took the name of *Mutuellistes*. They were divided into lodges. Every twelve lodges corresponded with a smaller number of individuals who formed their central lodge; and these central lodges again communicated with, and received their instructions from, a common centre called the executive council. The lodges raised by contribution a common fund to support in idleness those whom the interests of the united body did not allow to work. In the beginning of February, the manufactories of Lyons

had found it necessary, in consequence of the state of trade, to make a small reduction in the prices paid for the weaving of certain kinds of silk and velvet goods. This reduction the *mutuellistes* resolved to oppose. A general meeting was held on the 13th, and it was determined that all persons employed in the different branches of the silk trade should immediately suspend working, till their employers should comply with the demands of the executive council. A very large minority was hostile to this resolution; but the laws of the association and the apprehension of violence required that they should submit. During ten days nearly 50,000 people were kept in a state of dangerous idleness by the mandates of their leaders. Lyons was filled with alarms; for some outrages were committed on the property of the refractory masters. The better inclined among the workmen denounced the ringleaders of the combinations; but the law-officers, whether at Paris, or on the spot, did not think proper to interfere, and the government subsequently justified its inactivity on the ground that interference might have occasioned a sanguinary collision between the military and the people—another example of that infatuated inclination to make government backward and hesitating in the presence of a noisy and lawless portion of the governed, which lowers the dignity, and defeats the end of all government, exposes it to the risk of representing merely the ignorant caprices of unreasoning multitudes, and compels it, at last, either to yield to their dictation, or to recover its independence by shedding blood, which would otherwise have been spared.

danger was increased by the
ty with which these organized
tudes might be directed to
political objects. The so-
of the Rights of Man had
et re-established the sections
ris to revive the government
shepierre, but they might
their seeds in the sectional
uttees of the workmen of
t. Political emissaries ap-
d among the idle crowds;
t, in dismay, again heard the
agnole, the *ça ira*, the *vive*
publique of a period, whose
ies the lapse of forty years
arcely effaced; and at Mar-
t the apostles of confusion
again raising their heads to
und of their ill-omened hymn.
of disorder succeeded; the
and military found it neces-
to interfere; a number of
as were arrested; at St.
ne blood was shed. The great
of the combined workmen,
ver, were said not to take any
in these political tendencies;
while some of the lodges ex-
l political agitators, others
ed their members against the
pts which were making to
duce among them printed ma-
oes of political clubs. The
ance of great numbers of the
men themselves, the failure
ids to support so many thou-
people in idleness, and the
rations of the public author-
to repress actual violence,
short time rendered the com-
ion inoperative, so that, with-
urther disturbance, the people
neral returned to their work.
ie calm, however, was only
orary. Some of the men, who
rendered themselves obnox-
to the law by actual rioting,
convoking large assemblies
ut public authority, were

brought to trial at Lyons, in the
beginning of April. The work-
men would not desert their friends.
On the 5th of April, they sur-
rounded the court, demanding the
release of their comrades, and using
menaces to all who should take
part in the proceedings against
them. A witness for the prosecu-
tion, on leaving the court, was
seized and maltreated by the mob.
The Procureur du Roi made his
appearance, and attempted to ap-
prehend one of the most active of
the rioters; he was immediately
attacked, and severely beaten. The
court, apprehending that such at-
tempts might be made, had pro-
vided itself with a military force;
but this guard, consisting of only
fifty men, was found altogether
insufficient, even after it had been
doubled, to disperse the rioters.
The riot act having been read,
they endeavoured to drive back the
mob from the court-house with the
bayonet, but were overpowered
themselves, and compelled to un-
fix their bayonets and retire, some
of them being pursued into the
neighbouring houses and stripped
of their arms. The proceedings of
the court were suspended, and the
judges took to flight through a
private passage. This partial success
of the rioters, while it showed the
necessity of providing more effi-
cient means for their suppression,
and the mischievous consequences
of want of decision, increased their
confidence. On the 9th of April,
the day to which the trials had
been adjourned, they again ad-
vanced in large masses, and well
armed against the court-house,
which was now protected by a
formidable body of military. All
the other troops of the garrison,
and in the neighbourhood, were
likewise under arms. The rioters

were summoned to disperse; they refused. When the authorities proceeded to use compulsory measures, the crowd opposed force to force. The military fired; their fire was returned, and a battle began which immediately spread through the whole city. The rioters raised barricades, and attempted to fortify themselves in the fauxbourgs, defending their positions with great intrepidity, performing their evolutions with much regularity, and executing with the utmost precision the orders issued by their leaders. By the aid of artillery the barricades were cleared away; and after a day of hard fighting, the troops succeeded in getting possession of the more open parts of the city, and of the bridges across the river, which cut off the insurgents from their confederates beyond the Rhone. The night was spent by them in raising new barricades, and strengthening their positions, and on the 10th, the contest was renewed as vigorously as the day before. It terminated in favour of the regular troops, who drove the rioters from the different fauxbourgs, and shut them up in some dark and narrow streets, where General Aimara, who commanded, did not think proper, in the mean time, to attack them; trusting that they would disperse or lay down their arms when they found it impossible to break through the force which surrounded them. This result speedily followed, but not till many lives had been lost, and a great deal of property destroyed. The loss of the military amounted to 129 killed; on the part of the insurgents, 200 persons were killed. In conducting the assault and defence, eight houses were blown up by petards, and two were destroyed

by cannon. A bill was brought into the chamber of deputies to grant 40,000*l.* for the relief of those of the inhabitants who had suffered most severely from the effects of the riots; although all its clauses were agreed to separately, yet, when the vote was taken upon the whole bill, it was rejected. The deputies were about to face their constituents, and seemed to be in an economical humour. The government having asked 16,000*l.* to cover the expenses of celebrating the anniversaries of the "three glorious days" in July, the chamber reduced the sum to 8,000*l.*

To these disturbances in Lyons succeeded some disorders in Paris, which were represented as being the out-breaking of a widely-spread conspiracy, but which, if they were so, betrayed no dangerous command of means on the part of the conspirators. The furious declarations of the republican societies on the passing of the bill for their suppression, had warned the government to expect some extravagant exploit, and both military and police were prepared to act. The explosion being looked for on the 13th of April, a large body of cavalry, as well as a park of artillery, were kept drawn up all day in the Court of the Tuilleries, under the pretext of a review. In the evening a scuffle took place. It was got up between the police and the populace, the latter having interfered to rescue a prisoner, whom the former had apprehended. The dreaded conspirators now came forth, and came forth in arms, but in very small numbers, and more with the air of plunging into an extempore riot, than of beginning the execution of a deliberate and regularly-planned plot. The military moved. The insurgents, if

They deserved no grave an appellation, as a matter of course, seized all the omnibuses and hackney coaches within their reach, and surrounded themselves with barricades. The troops were unable to surmount these obstacles, and were compelled to suspend the attack till the following morning. During the night, fresh troops were poured into Paris, and the rioters, besides manning their barricades, kept up, from the neighbouring windows, an irregular, but galling, fire, by which some soldiers were killed, and several wounded. At day-break on the 14th, the troops brought up artillery, and renewed the attack. Their antagonists, intimidated by the overwhelming force which now assailed them, and discouraged by the want of co-operation on the part of the populace, as well as of the national guards, who acted cordially with the troops of the line, abandoned their barricades, and retreated into the houses in the adjacent narrow alleys, where the military could act only at a great disadvantage. The troops, however, made their way into the houses, or completely blockaded them; and the rioters, who were said not to have exceeded three hundred in number, fled or surrendered.

M. Humann, the minister of finance, brought forward, on the 10th of January, the budget for the year 1835. He stated the expenditure at 1,030,090,547 francs, or 41,203,622*l.*, being about forty-four millions and a half francs, or 1,800,000*l.*, more than the expenditure of the preceding year. The interest of the public debt, and payment of superannuated pensioners, required 319 millions; the departments, fifty-five millions; the other expenses of

VOL LXXVI.

government, including the army and navy, 495 millions; and no less than 161 millions, or 6,440,000*l.* were set down as the expense of collection, re-payment of overcharges, and *non valeurs*, being more than fourteen per cent on the whole revenue, and about double the expense of collecting the revenue of this country. The increase was found in all the departments, but particularly in those of war, the navy, and commerce. In the first, the increase of expenditure amounted to upwards of thirty-seven millions, or about a million and a half sterling. For 1834 the chamber had voted an effective army of 286,041 men, and 56,765 horses; it was now proposed to raise it to 316,400 men, and 66,445 horses, besides 25,370 men, to form part of an army of reserve. The navy estimates, which, in 1834, had been 62,674,900 francs, were now sixty-five millions and a half, or 2,620,000*l.* being an increase of 113,000*l.* The expenses of the department of the interior, including those of public worship, were higher than those of the preceding year by about 82,000*l.*; they included 50,000*l.* for the secret service money of the police, and 8,500*l.* as allowances to persons condemned for political offences. The budget of the minister of public instruction was 15,663,000 francs; of which sum 8,068,000 francs, or 322,720*l.* were to be devoted to establishments for primary instruction.

The income, on the other hand, though the minister represented it as increasing in all its branches, not only did not allow of any reduction of taxation, but was unable to meet this increased expenditure. The ways and means were taken at 996,557,415 francs, leaving a

2 A]

deficiency of 1,360,000*l.*, to which were to be added certain charges remaining over from the preceding year, making the whole deficit about three millions sterling. M. Humann did not propose to bring up the income to the expenditure by new taxes, but to supply by a loan what was wanting in revenue. The commission, however, to which the budget was referred, reduced considerably some of the estimates, particularly those of the war department. Instead of thirty-seven millions of francs for the increase of the army, it voted only twenty-two millions; reduced one of the proposed grants connected with the defence of Algiers from 400,000 francs to 150,000; and gave the minister of the interior only 8,000*l.*, instead of 16,000*l.*, to celebrate in July the anniversary of the "Three Glorious Days" of 1830.

The retention and colonization of Algiers were themselves objects of much debate. It was a possession which laid a heavy burden on the finances, while, as yet, it had been productive of no apparent advantage, and did not promise to be more beneficial in future. M. Passy, the chairman of the committee on the budget of the minister of war, strongly recommended its abandonment. He shewed that it could not be retained with an army of less than 25,000 men; that it cost France thirty millions of francs, or 1,200,000*l.* a-year, while its own revenues did not amount to one-twentieth part of that sum; that the natives could not be civilized, and that, till they were so, European colonists could not be induced to settle amongst them. The opinions of the chambers were greatly divided. Many members, who generally supported the go-

vernment, declared their wish that the settlement should be abandoned. M. Dupin, too, spoke at great length against its continued occupation, and the project of colonization. The ministers themselves, who found it only a source of financial embarrassment, would probably not have been desirous to retain it, if they had been left to themselves; but the republican and conquest-making party raised a clamour, which rendered it impossible for them to follow either their own convictions, or those of the more sober-minded portion of the legislature. Algiers had been a conquest; to abandon it, therefore, would be a national disgrace. Marshal Soult found it necessary to declare, in the name of the government, that no intention of giving it up either was, or ever had been entertained. Yet it was indubitable that, both before the revolution of 1830, and by the ministers of Louis Philippe after that event, positive assurances had been given to the British government, that no permanent settlement was contemplated. That must be a very vain and incurable love of conquest for its own sake, which clings to an useless and expensive acquisition, merely because it is a memorial of some sort of renown which is supposed to accrue in the fact of a great and civilized people being able to beat down a small horde of savages and barbarians. The expenditure recommended by the committee for the year 1835, exclusive of the soldiers and seamen required for the defence of the colony, amounted to seven millions of francs. The neighbouring arabs, in the mean time, continued to make frequent attacks on the French; and the French, on the other hand, sacked

and burned the neighbouring villages.

One of the most important of the subjects which occupied the attention of ministers and of the chambers, was a proposed modification of their system of commercial legislation. The importation of nearly all the articles which might be the subject of beneficial interchange between France and her neighbours, and which she did not produce in quantities, and at a price sufficient to meet the wants of her own people, was either totally prohibited, or subjected to duties so heavy, as, in their effects, to fall little short of prohibition; and so little practical influence had the liberal doctrines of philosophy or the views of an enlarged policy acquired in France, that, even so late as the year 1822, many of those duties had been greatly increased. In that year an additional duty of fifty francs on each head of cattle imported had annihilated a valuable branch of trade with Switzerland and the Rhenish provinces; and a duty of thirty-three per cent imposed on foreign wool, and taxes still more enormous on linen and flax, had been equally mischievous to the foreign trade of the country and to its internal manufactures. The imposts on coal and iron had raised these articles to more than double the price at which they might have been obtained from England; and the produce of the colonies of England, and of her cotton mills, was virtually excluded.

The consumer suffered greatly from this restrictive and protective system; it operated directly as a check on many branches of industry; but the two classes who were the most sensible of its evils, were

the merchants and the vinegrowers. The merchants complained that commerce was stunted in its growth, because the law rendered it impossible for them to take from foreign nations, in exchange for the productions of France, the only commodities which these foreign nations could furnish; and the vinegrowers, unable to find at home a profitable sale for their produce, were loud in their remonstrances against a system which practically excluded them from the markets of Europe, and especially of England. "If," said the merchants of Bordeaux, in an address to the chambers, "our wishes are not listened to, nor our requests understood; if, from fatal blindness, the north and its manufactures should not be deprived of that spoliating protection which bountifully endows some persons, with what it tears from others; if it were demonstrated that the opposite interest of the north and the south cannot be reconciled, in that case we must declare that the only salvation remaining for these provinces would be, to create a line of internal custom-houses, which, without withdrawing them from an unity of government, would leave to both these divisions of France, their respective conditions of agricultural and manufacturing existence." M. Thiers, now minister of trade, affected to be a philosopher; and from a disciple of liberalism, the friends of a liberal system of commercial intercourse had hoped for assistance. These hopes, however, were disappointed. M. Thiers knew well that the majority of those to whom the elective franchise was confined supposed that they had an interest in the maintenance of the restrictive system; and accordingly,

[2 A 2]

though, on the 3rd of February, he presented to the chamber a flaming exposition of his views and doubts on the importation and exportation of commodities (an exposition in which he betrayed great want of practical knowledge, and only a superficial and inaccurate comprehension of the theory of his subject), and suggested a few trifling alterations, yet there was no recommendation or suggestion of any material change in the spirit or principle, on which the commercial legislation of France had hitherto proceeded. He proposed to reduce the duty on wool by one third, or from 33 to 22 per cent. *ad valorem*; on cattle, likewise, there was a small reduction; coal remained as it was; the absolute prohibition against the importation of some kinds of cotton yarn, which were of prime importance to the finer French manufactures, and which England alone could supply, was removed, but the duty imposed was higher than the rate at which the manufacturers had hitherto purchased the article from the smuggler. On iron the diminution was too trivial to produce any practical effect. The minister admitted that Frenchmen were obliged, by the high duty, to supply themselves with iron at 12*l.* and 14*l.* a ton, while England could furnish it to them for about half the money; but he insisted on maintaining the duty, because he calculated that France would bring iron into the market as cheap as the English, if she only were allowed time to get roads and canals, mining skill and capital. The scheme of duties, which M. Thiers suggested, was referred to a committee by the chamber of deputies, and the committee made a report which ac-

corded, in the main, with the plan of the minister; but it was not considered expedient for the present to settle definitively the system and scale of duties; and all that was done was, to authorize the government, in the mean time, to substitute duties for absolute prohibitions. In pursuance of this authority, and of a power which the executive had, under a former law, of lowering for a time, the duties on certain raw materials, M. Duchatel, who had succeeded M. Thiers as minister of trade, issued several ordinances in the month of July. One of these permitted the importation, at high duties, of English fine twist, cashmere shawls, unprinted silk handkerchiefs, wax, and some other articles, all of which had been till then prohibited: a second allowed some East-India articles to be introduced from English ports: and a third lowered the duties on wool and linen. There was no modification of the duties on iron, cotton goods, sugar, or coal. In judging, however, of the conduct of the French ministers in regard to this matter, it is not to be forgotten that they were not entirely free agents. The majority of the deputies, and of the 200,000 constituents who elected them, had, or supposed they had, a personal interest in maintaining prohibitions and protecting duties, and lost no opportunity of reminding the government, that any decided disposition, on its part, to deviate very materially from the existing system would deprive it of many votes on which it had been accustomed to rely. It may be noticed as a circumstance indicative of the state of the public mind, on this important question, that in the Paris elections, which soon after

wards took place, the partisans of the restrictive system obtained overwhelming majorities against the advocates of a more liberal policy.

Hereditary nobility, as giving a title to sit in one of the branches of the legislature, had already been abolished by the law of 1831: in the present session, an act was passed, which was intended to reduce it to the shadow of a shade. The first revolution had effectually rooted out nobility by confiscating the property of those who were so unfortunate as to bear a title, and beheading or banishing the proprietors. When Napoleon re-organized the peerage, he required that every person bearing a title should possess an independent annual income of, at least, 6,000 francs, or 240*l*. The hereditary descent of this by no means extravagant fortune, to the nearest heir, was thus necessary to the descent of the hereditary title. It was styled the *majorat* of the family, and formed a species of entail. This arrangement had been adhered to, under the restored dynasty, but it could not stand against the more leveling doctrines which had succeeded. A bill was brought in, in the month of January, to abolish these *majorats*, that is, to prohibit the holder of a title to make any greater or more certain provision for the successor to his honours, than for his other children, and passed the chamber of deputies almost without opposition. The proposers of the measure professed to act with the view of setting at liberty a large mass of property locked up by the *majorats*, and bringing more capital into circulation; but the true reason was to be found in a morbid impatience of all superiority, and a secret desire to extir-

pate titles, which wounded the vanity of those who had none. This was clearly shown by the refusal of the chamber to admit a clause which provided that the abolition of majorats should not prevent the transmission of the titles of nobility, which had been attached to them. The clause was objected to on the ground that it would bestow on the transmission of titles, a legality which the spirit of the age could not permit, and was rejected by a very large majority, formed from all sections of the chamber. The bill, indeed, was received by the deputies with singular approbation. Not one member ventured to defend the principle of the majorats, which was giving up the principle of hereditary nobility, for a beggarly peerage is ridiculous, or is a nuisance. No one thought of arguing that, as an aristocratic body is indispensable in a monarchy, some respect was due to the means by which it was to be maintained. The very members of the centre and the *côté droit* spoke in favour of the motion, and many of them exclaimed from their seats that there was no longer any nobility in France. The peers would willingly have rejected the bill altogether. They made a number of amendments upon it, the principal of which consisted in retaining the right of transmission in perpetuity in regard to all existing *majorats*, but prohibiting the formation of any new ones. Even when thus altered, it passed by a majority of only 61 against 57.

The United States had been pressing, for many years, a large claim against the French government, for reparation of losses sustained by American subjects, in consequence of the measures which

Napoleon had adopted, in order to enforce the Berlin and Milan decrees. Apprehensive that, under those decrees, her flag would not be respected by the French ships of war, America had prohibited the sailing of merchant vessels from her ports. The emperor took umbrage at this regulation, and by way of making reprisals, although he was at peace with the United States, seized all the American vessels in the harbours of France. On the termination of the war, the American government demanded compensation to its subjects for the ships and cargoes of which they had thus been despoiled. Many years had been spent in fixing the principle and ascertaining the extent of the liability, and a settlement was on the point of being concluded, when the revolution of 1830, changed the dynasty. But the new government recognized the claim; the commission, to which it had been referred, made a final report; and in 1831, a convention was ratified between the two governments, by which France bound herself to pay, and America to accept twenty-five millions of francs, or a million sterling, in full of all demands. No money, however, had yet been paid: the urgencies of the American resident had not been able to induce the French ministry to propose to the chamber of deputies, either in 1832 or 1833, a vote which was likely to be ungraciously received; even the treaty itself had not yet been presented to the legislature, but a pledge had been given, that the matter would be pressed during the present session. The king, accordingly, in the speech from the throne, had been made to speak of "the finance laws, and those which the execution of treaties requires,"

as subjects which would call for the attention of the chambers: and M. de Broglie, the minister for foreign affairs, moved in the lower chamber that twenty-five millions should be granted for satisfying the American claims, in terms of the convention by which the government had bound itself. The proposal was not well received, though a refusal seemed to be inconsistent with the honour of the executive. An idea had got abroad that Louis Philippe, whom his subjects well knew to be a money-making man, had a personal interest in making good the payment. It was said, that many of the real sufferers, despairing of redress, and certain that, at all events, it would come late, and be imperfect at last, had sold their claims to French speculators, at different epochs of the restoration, for 10, 12, and 15 per cent. of their real amount, and that one of these speculators was now the king of the French. The regular opposition naturally gave the motion all the resistance in their power; for to vote against granting money is always popular, and to vote against paying it to foreigners could not fail to be doubly so. The payment, too, was to be made as redress for most inequitable proceedings adopted against an ally in time of peace; and it was not easy to convince French vanity, that foreigners could be entitled to demand any thing from the justice of the great nation, though they might be allowed to supplicate charity from its benevolence. But, ministers were likewise abandoned by that section of the chamber; which, though leaning more to the government than to the opposition, affected to hold the balance between both. They did not oppose

a grant to some extent, but they nibbled at the amount which had been recognized by the treaty, and were for reducing the twenty-five millions to twelve. Their half-opposition, however, was as fatal as the unmodified opposition of the professed liberals; for ministers could not compromise the question for a smaller sum than that which the government had bound itself to pay. The argumentation against the extent of the proposed grant had much of paltry higgling in it, and some novel applications of the doctrine of compensation. America, it was said, had been upon the whole, a great gainer by being in possession of the carrying trade during the war, and these gains should be regarded as a set off against the losses sustained by individuals; as if a man, to whom Napoleon's injustice had rendered the carrying trade a source of ruin, was to find his recompence in the fact that a neighbour, who had escaped that injustice, had realized a fortune. Another source of compensation was found in America having received Louisiana without making any allowance to France; and it was objected that the proof of the American claims was insufficient, and the manner, in which the losses had been ascertained, vague and unsatisfactory. Nay, the French government was accused of great simplicity or ignorance, and the cabinet of Washington of very dishonest greed, inasmuch as the one was giving, and the other was receiving, payment of claims long since settled and discharged. M. Berryer, a Carlist deputy, stated, that, of the confiscated vessels, twenty-eight had been seized in the ports of Spain, from which they had been removed to Bayonne, by orders

from the French commanders to the Spanish authorities, and there sold for behoof of the French treasury. The value of these ships and of their cargoes was, according to the minister's statement, eight millions of francs, to which extent, it was alleged, it formed part of the twenty-five millions now proposed to be granted. But in the treaty of 1819, between Spain and the United States, it had been positively declared that all claims of the latter relative to these vessels were definitively given up. By this arrangement, America had transferred to Spain her claims on France, for the value of these ships, and had finally discharged them. Lastly, no danger, it was said, could arise from refusing to pay the money; for America would not risk a war in order to recover it, and if she did, the French fleet was four times stronger than her's. She might, indeed, in a fit of puerile anger, impose additional duties on the importation of French productions; but such a mode of retaliation could not continue long, because its effects would immediately be felt by the Americans themselves. War was not now waged by custom-house officers, nor were duties any longer imposed from unfriendly feelings towards foreign countries, but only with a view to encourage our own commerce and productions.

M. de Broglie exerted all his influence and oratory in order to carry a vote on which the character of the government and the existence of the ministry seemed to depend. A government loses its hold on foreign powers, when its most formal obligations turn out to be of doubtful efficacy; and ministers could scarcely continue in office, after it should have been

found that they were unable to execute agreements, to which they had pledged themselves. It was true that the treaty, by which the debt was recognized, had been negotiated and ratified before their accession to office; but they had adopted it in all the subsequent communications with the American government; and the foreign minister now frankly declared, that if it were still to ratify, he would not hesitate to do it. He went into many details to shew that the claims had been rigorously investigated, and satisfactorily proved, and that the sum demanded was the very lowest sum that, in any just and reasonable view of the subject, could be held to be due. He denied that the discharge contained in the treaty between Spain and the United States, had any bearing on the question; for he averred that not one of the vessels, which that treaty was said to comprehend, was included in the grant now before the chamber. Although he admitted that those American vessels, which escaped capture and confiscation, had turned their trading to very good account, he exposed the bad logic and the bad morality of converting the prosperous events which had happened to some, into a reason for denying the just claims of others who had not been so fortunate. The success of those who did succeed, assuredly was not a gift bestowed upon them by France; she had not created the carrying trade for America, nor was it a trade which she had abandoned to America, when she might have retained it to herself; but the losses inflicted on those who suffered, had been the direct effects of undeniable injustice perpetrated by France. The question was not, whether an indemnity

should be granted to the American nation, but simply whether it was not just to give the American government the means of making reparation to certain of its citizens whom France had unfairly despoiled of their property. As to Louisiana, the right of France to that territory had been contested, and might never have been recognized: France had not given up any thing of which she was actually in possession; she had merely abandoned a doubtful law-suit, and what she did abandon, had been much more than counterbalanced by America, in return, lowering the duties on French wines, by which the commerce of France had already been extended to the amount of nearly 800,000 francs yearly. A refusal to pay the debt now in question, might not only cut off this source of wealth, but be pregnant with still greater injuries to commerce. The chamber undoubtedly had the power of rejecting the treaty by refusing the money; but it had not the power of compelling the American government to acquiesce in that decision, or to abstain from using those easy and natural means of enforcing payment which it possessed. The exports from France to America, amounted to 110,351,000 f. a year, so that the United States consumed nearly a fourth part of all that France exported; and it would only be necessary for the American government to augment the duties on French merchandize, in order to deprive French commerce of the immense advantages of such an extensive export trade. "The question, therefore, to be decided," said M. de Broglie, "is whether it shall be the whole population, or only the manufacturers and merchants of Lyons, Bordeaux, and

some other towns, that shall pay the United States, a sum which is legally due. To impose upon a portion of the commercial community the payment of this debt would be not only unjust, but absurd; for the injury that would inevitably be done, by such a measure, to one or two great branches of our industry, would infallibly react upon all the others, and, in the end, the country would have to submit to much greater sacrifices than that which, by rejecting this project, you refuse to make. The ratification of this treaty destroyed the last vestiges of misunderstanding and distrust between the two countries, and the American government, yielding to the representations of France, hastened to fulfil the clauses of the treaty relative to the free entry of our wines and silks. If, in consequence of your refusal, a considerable portion of our manufacturers should be thrown out of employment, and our wine growers deprived of a mart for their produce, you will drive the country into a new crisis of discouragement and perturbation. You will multiply the chances of disorder, and you will soon probably be under the necessity of doing for certain towns, that which you have done for La Vendee—that is, to increase the number of the gendarmerie. For the results and consequences of the treaty, you, from this moment, are responsible. Our task is finished; your's now commences."

But the combined opposition prevailed; the government was left in a minority of 8, (1 April), 168 members having voted for the grant, and 176 against it. M. de Broglie immediately resigned. General Sebastiani, who, as foreign minister had concluded the treaty,

but who was now only a member of the cabinet without an office, followed his example. The ministry, however, as a body, kept their place, although as a body they had no less adopted the treaty than the foreign minister. The changes accordingly, which took place in the cabinet, did not consist in the accession of any new party to power, but simply in the same men shifting from one office to another, with the smallest possible admixture of new colleagues of the same way of thinking. Soult still continued at the head of the ministry, as president of the council, and minister of war. M. M. Humann and Guizot retained their offices, the first as minister of finance, the other as minister of public instruction. Admiral de Rigny, the minister of marine, was placed at the head of foreign affairs, and was succeeded, in his own department, by Admiral Jacob; admiral Roussieu, who was absent as ambassador at Constantinople, having declined the office. By a change, for which there seemed to be no good reason, M. Barthe, the keeper of the seals, was made first president of the court of accounts, and the seals were given to M. Persil, the most unpopular of all attornies-general, who, again, was succeeded by a M. Martin. M. Thiers returned from the ministry of trade to the home department, which Count d'Argout, quitted to become governor of the Bank of France; and M. Duchatel, who had been one of the commissioners appointed by the French government, to discuss with those of Great Britain the modifications which might be introduced into the scale of import duties, was made minister of trade. ♦

The Session was closed on the

24th of May. On the same day a royal ordinance appeared dissolving the chambers, and ordaining the electoral colleges to meet on the 21st of June for the new elections. The result of the general election increased the majority by which the government had hitherto been supported. Of the 459 deputies returned, considerably more than one half were set down as being declared ministerialists, exclusive of the large confidence which ministers might always repose in those whom the journalist described as doubtful, or belonging to the *tiers parti*. In general the former members were re-elected, and where changes took place, they were favourable to the government. In Paris, M. Thiers, the minister of the interior, ousted M. Salverte, an opposition member, by whom one of the arrondissements of the capital had been represented in the dissolved chamber. Even M. Lafitte lost his election against a government candidate, but had his choice of several other places by which he had been returned.

As the charter requires that a new chamber shall be convoked within three months after the dissolution of its predecessor, the chambers assembled on the 31st of July, not for the purpose of proceeding to business, the business of the year having been already disposed of in the previous session, but to yield formal obedience to the law. The king met them with the following speech :

“ It is ever with a lively satisfaction that I come among you. I feel happy, above all, in seeing you around me at a moment when the national suffrage has manifested itself with so much *éclat*.

“ It has consecrated that

liberal and moderate policy which the chambers have, in previous sessions, so loyally maintained. It is the policy of the charter. France wants repose under the guidance of the tutelar institutions which her wisdom and courage have preserved untainted. My government has exerted itself to respond to the national expectation, and success has not failed to attend our perseverance.

“ Wherever any criminal attempts have raised a deplorable struggle, the national cause has triumphed. The national guard and the army, whose noble devotion you will appreciate as much as I do, have repressed disorder with as much energy as fidelity; and the peaceable execution of the laws passed in the last session has shown the impotence of the perturbators, and restored confidence in the public mind.

“ We now gather the fruits thereof. Our industry and our commerce increase in activity. I have viewed with happiness the results of it in that great exhibition which has shown how many triumphs are assured to us, how many hopes we are justified in conceiving.

“ They will be realized through the benefits of peace, under the direction of an active and providing administration, through the influence of wise laws, which in seconding the progress of our agriculture, and our industry, will open new outlets to our commerce; and I have reason to hope that the ever increasing prosperity of the country will allow us to provide for the public expense with the ordinary resources of the state.

“ The laws relative to finances shall be submitted to your deliberations at the period fixed by

the rules of the administration.

“The laws rendered necessary for the execution of treaties, and those which will be required for the accomplishment of the promises of the charter, shall be again presented to you in the course of the present session.

“I have to congratulate myself with regard to the state of the relations with foreign powers.

“The internal dissensions which disturbed Portugal have reached their end. With the king of Great Britain, the queen of Spain, and the queen of Portugal, I have entered into a treaty which has already produced the most salutary influence towards the re-establishment of peace in the Peninsula. Always intimately united with England, I am engaged, in concert with my allies, about the situation of Spain, where new difficulties have arisen, which call for serious attention on the part of the powers which signed the treaty of the 22d of April.

“The state of the East is tranquillizing, and everything promises that the peace of Europe will not be disturbed.

“I rely, gentlemen, and I shall do so on every occasion, on your loyal assistance. I acknowledge no other interest, I entertain no other wish, but those of France. To secure the stability of our institutions, to rally round the throne and the charter all good Frenchmen, in repressing with equal firmness the isolated or combined attempts of adverse factions,—such is the only aim of all my efforts; and my most agreeable reward will be that affection of my country, the testimony of which always excites in me a profound sympathy.”

M. Dupin was again elected president of the chamber of deputies. The speech, which he delivered on taking the chair, elicited marks of disapprobation from the ministerial benches, and created a suspicion that he and his adherents intended to place themselves in an attitude of more direct opposition than they had hitherto assumed. The address, too, as reported by the committee to whom it had been referred, contained paragraphs on which it was expected the ministry would divide the chamber. It had been framed by M. Etienne, a political associate of M. Dupin, and while the royal speech only expressed a “hope,” that the public expenditure would be brought within the limits of the ordinary revenue, the address declared it to be “absolutely necessary to establish an equal balance in the finances of the state.” Ministers, however, did not pick any serious quarrel with the address, which was voted almost unanimously, and the chambers were then prorogued on the 16th August to the 29th December.

Before the new chambers, however, had assembled, marshal Soult had ceased to be premier, and minister of war. It was not to the legislative body alone that the extent to which he wished to carry the army had appeared excessive, and his estimates extravagant: his colleagues themselves, embarrassed by a revenue which was insufficient to meet the expenditure, protested against the demands of the president of the council, and the military estimates, even as they were presented to the chamber, were only the result of a compromise at the council table. When the success of the

opposition and the *tiers parti* in placing many of their adherents on the budget committee, and electing its president in opposition to the ministerial candidate, rendered it all but certain that the chamber would insist on the army estimates being still farther curtailed, a new division arose in the cabinet. The marshal insisted that the number of men which he demanded was indispensable; the other ministers were convinced, that, whether such an army, with no prospect of war, was necessary or not, it would not be granted, and it appeared to them very clear that it was more prudent to limit their demands, than to engage in a contest in which they looked only for defeat. Soult yielded, but yielded with a bad grace. The same source of disunion prevailed after the session had closed. Soult could not be prevailed on to be satisfied with less than 400,000 men. His colleagues, whatever confidence they might place in the accession of strength which they had obtained by the general election, knew that it would have been much less; if the deficit in their former budget had been greater; and they were too fresh from the financial difficulties which had just been overcome, to expect that an increased and growing deficiency would be more favourably received. The marshal preferred retiring from office, to giving up his point. He resigned on the 17th of July; and on the 19th, marshal Gerard, was appointed to succeed him, not only as minister of the war department, but likewise as president of the council. The latter office, however, though it ostensibly conferred the character of prime minister, was now considered by the public to be only a nominal

honour; for the king was universally believed to be in effect the president of his own council, and the true prime minister.

Marshal Gerard's lease of power was a very brief one. Louis Philippe had now prevailed on the legislature to arm him with very despotic weapons, under the impression that the government would otherwise be unable to resist the attacks and crush the plots of the seditious, who were conspiring to throw society into confusion, and to abolish all existing authority. Every thing which could give vividness and duration to this impression, was favourable to the policy of the cabinet; it spread alarm; it quickened the sense of danger; it proved the necessity of supporting the government to overcome that danger. It was resolved therefore, not merely to institute an inquiry into the disturbances at Lyons and in Paris, which were held to be different ramifications of one great plot, but to conduct it on the most extensive scale, and employ the pomp and dignity of the supreme tribunal. The French charter declares that, "the chamber of peers takes cognizance of high treason, and of attempts against the security of the state," and, when exercising these functions, it may sit during a prorogation of the deputies. So soon therefore, as the legislative session had closed, a committee of the peers, as a criminal tribunal, began an investigation into the origin and character of the disturbances by which the public safety had been endangered. The chamber was not trying accused parties, but only inquiring what parties should be accused, and of what. The peers were a body of *Juges d'Instruction* conducting an *enqur-*

mous precognition. The investigation was tedious, for it embraced not only the facts of actual riot or sedition, but the existence and constitution of societies and the articles of public journals, all over the kingdom. Upwards of 1,100 persons had been apprehended as being connected, in some shape or other, with these events; but more than 700 of them had been discharged, or were set at liberty in early stages of the inquiry. Marshal Gerard was hostile to these proceedings. Instead of wishing to use the chamber of peers as a machine for manufacturing indictments, he was urgent that a general amnesty should be granted to all political offenders. It was even said, that he had entered the ministry only on an engagement by his colleagues to give this proposal a favourable reception, when a fit opportunity should occur of bringing it forward. That opportunity he thought he had found, now that the inquiry by the peers was about to terminate; and it would become necessary to decide, whether the prisoners should be discharged, or brought to trial. The king, however, would not consent to an amnesty, or to any relaxation of severity against political offenders; and in the end of October marshal Gerard resigned. Several days elapsed without another head being found for the ministry; and M. Thiers, Rigny, Humann, and Duchatel resigned, either from inability to find a suitable superior, or in the hope of showing the king that to insist on having a premier who would be subservient to him in all things, might prevent the formation of a respectable ministry. Their example was followed by M. Guizot, the minister of Public Instruction.

After another week's negotiation, a new cabinet was formed. Maret, duke of Bassano, became president of the council, joining with it the ministry of the interior. The duke had made his way under Napoleon as a civilian. He had been long the emperor's chief private secretary. He had succeeded Talleyrand as minister of foreign affairs, and held that office till the approach of the allies in 1814. He quitted France on the restoration of the Bourbons—had been allowed to return in 1820, and had not since taken any active part in public affairs. His elevation to the premiership was equally unexpected by himself and by the public. General Bernard, who was made a peer and minister of war, was known only as being an able officer of engineers, and having lived in the United States for several years after the fall of Napoleon. The foreign department was given to M. de Bresson, who was minister at the Court of Berlin. M. Charles Dupin, a brother of the president of the chamber of deputies, principally known as the author of a statistical work on England, was put at the head of the marine, where he had previously occupied a subordinate office. The finances were given to M. Passy, a member of the lower chamber, who had distinguished himself by his speeches on financial questions. M. Peste was made minister of commerce, and a M. Sauzet minister of public instruction. Persil, who had not resigned the seals when his colleagues quitted the cabinet, was the only member of the former ministry who continued in office. At the same time the chambers were convoked for the 1st of December, instead of the 29th, which had been fixed

for the opening of the legislative session.

The ministry of marshal Gerard had lasted three months; that of the duke of Bassano lasted only three days. The men it contained were not popular; the greater number of them were unknown: they represented no party; they possessed no influence; they were not distinguished by any uncommon degree of ability to raise them above the crowd. The duke, too, had scarcely entered his office, when he found that, if he intended to remain, he must consent to be guided by the king. He had declared that, under his ministry, "the revolution of July would be restored," and in the political confession of faith of the new cabinet to be put forth, according to custom, in the *Moniteur*, he announced that revolution as the intended guide of his policy. But to this creed the king decidedly objected, having probably expected different language and more subservient habits in a minister trained under the absolute obedience of the empire. The duke immediately resigned, and along with him all his colleagues, most of whom had been anything but flattered by the reception given by the public to the announcement of their appointments. The king turned once more to the army list for a premier, and found him in Mortier, duke of Treviso, who accepted the offices of president of the council, and minister at war. The old ministers, too, who had retired after the resignation of marshal Gerard, were summoned back to their offices, and obeyed the call. Admiral de Rigny returned to the foreign office, M. Thiers to the home office, M. Humann to the ministry of

finance, M. Duchatel to the ministry of trade, and M. Guizot to that of public instruction. Admiral de Rigny held *pro tempore* the portefeuille of the marine department.

The control which the king was believed to exercise over the deliberations and policy of his ministers, involved the government still more deeply with the press; for the opposition journals, on the allegation that he acted as a minister, treated him as one. The editor of the *National* was brought to trial for having been guilty of making a direct attack upon the king in observations on the royal speech at the opening of the session. He pleaded not guilty, defending himself on the ground that the active and personal share taken by the king in the administration of the government, laid his acts and conduct open to examination and censure, as much as those of any responsible and ostensible minister. It was his business "to reign," not "to govern;" and so soon as he became himself the real and substantial minister, he forfeited the protection of the maxim that the king can do no wrong. The jury pronounced a verdict of acquittal. The ministerial journals having attacked the verdict, contending that it had been made clear that the object of the journalist was to bring about a change of government, the *National* repeated its doctrines—avowed that such was its aim—declared that it would labour incessantly to attain this object by the only means at the disposal of the press, discussion—and maintained that to attempt to restrain such discussion, was not only to crush the liberty of the press, but to deny the great prin-

ciple that all power is only an emanation from the sovereign people. For this article the paper was again brought before a jury, who found a verdict of guilty. The editor was sentenced to six months imprisonment, and a fine of 240*l*. He had gone out of the way to avoid the imprisonment; but he soon returned and notified by a letter to the prefect of police (which he published) that he was ready to undergo his sentence. Some expressions in this letter were construed into a new endeavour to bring the government into contempt, and the paper was again seized. The editor of the *Tribune* was prosecuted for a libel on the king, connected with the events of Lyons. He offered to prove, by the testimony of Lafitte, Lafayette, and other public characters, that the matters which he had stated were true;

but the court held that such evidence could not legally be received. He was convicted, and was sentenced to twelve months imprisonment, and a fine of 240*l*. This was the 104th time that the *Tribune* had been seized. The duke of Orleans gave to a mare the name of a favourite actress on one of the Parisian stages. A journal published an imaginary letter from the lady in which she declined the honour for reasons by no means complimentary to the prince. The paper was seized by the police. M. Cabet, an opposition deputy was editor of an opposition journal called the *Populaire*. Being convicted of having published a libel on the king, he was sentenced to two years imprisonment, deprivation of all civil rights for two years longer, and a fine of 80*l*.

CHAP. XII.

SPAIN.—*State and Measures of the Government—Remonstrances to the Regent against the Ministry—Change of Ministry—Disturbances in the Interior—Dissatisfaction excited by the Regulations of the new Ministry regarding the Urban Guards—Military operations against the Insurgents in Navarre and Biscay—Decrees against Religious Bodies assisting the Carlists—Royal Statute appointing the Convocation of the General Cortes—Constitution of the Cortes—Ecclesiastical Commission for the Reform of the Church—Decrees regulating the Press—Spain acknowledges the Queen of Portugal—Treaty between the two Queens and France and Great Britain to expel Don Miguel and Don Carlos from the Peninsula—A Spanish Army enters Portugal—Don Carlos embarks for England, and arrives there—Leaves England, and joins his Army, in Navarre—Disturbances and Massacre of Priests in Madrid.*

IN Spain, the history of the present year opens with a continuance of the same contests for the succession to the crown, which had marked the close of 1833, and a repetition of the same scenes of civil war, which, though neither interesting as military operations, nor productive of any marked effect in the course of the struggle itself, exasperated party feelings, and tended to loosen the bonds of society. The will of Ferdinand VII. was the title of his infant daughter Donna Isabella II. to the throne, and of his widow to the regency. That will, again, his brother Don Carlos treated as a violation of the fundamental laws of the monarchy, by which female succession was excluded; and he maintained that this constitutional rule could not be abrogated by a mere royal de-

cree. To obviate the objection, Ferdinand, before his death, as has been recorded in our annals of last year, had assembled the cortes to acknowledge his daughter's title, and do homage to their future sovereign. But competitors for crowns do not decide their differences by the maxims of law, or the dialectics of the schools. The dying hour of Ferdinand saw Don Carlos and his adherents armed in the field. The young queen had the great advantages of being in possession of all the powers of government, and of having been immediately recognized by the leading European powers: the kingdom did not betray any general willingness to throw off her authority; and the army, with the exception of the Royalist volunteers, manifested no tokens of dis-

affection when interested leaders did not use threats of revolt to forward their own political views, or their personal ambition. Each party, however, trusted less to arms than to the support which might be conciliated by professing certain principles of government. Don Carlos, even during the life-time of his despotic brother, had been considered to be still more attached to the unmitigated rights of absolute power, and the undiminished predominance of the Romish hierarchy, in its jurisdiction as well as in its wealth. The religious bodies, therefore, wished success to his cause; and though the dignified clergy did not join his standard, because they had large possessions, which might be confiscated, the ecclesiastical corporations and the monastic congregations supported him with their influence: and in Spain, the influence of the priesthood had been able, during the lifetime of Ferdinand himself, to disturb the repose of their undoubted monarch. On the other hand, all who favoured the introduction of a more liberal form of government, whether their wishes rested on a love of rational liberty for its own sake, or on personal ambition and vanity, which always find a more easy path to notoriety under popular institutions, deemed it to be their interest to adhere to the young queen, because her necessities held forth a promise that she might be induced to purchase security for herself by adopting their policy. Her government was in the difficult situation of being unable to conciliate either party without disgusting the other.

These difficulties occasioned the downfall of the prime minister, M. Zea. He had followed a policy which directed against him the in-

Vol. LXXVI.

fluence of the liberals as well as of the Carlists. As he openly maintained the cause of the queen, the partisans of her rival laboured for his removal, without reflecting much that his probable successors might be still more hostile to their schemes. He had compelled Don Carlos to fly from the kingdom, and take refuge in Portugal; he had even set a price on that prince's head, if he should again be found on Spanish ground: with that party, therefore, he had broken irreconcilably. Neither was he a fit minister for the liberals, for he had stopped short of what even the most moderate amongst them demanded. Since the death of the king, he had been the author of several royal ordinances, all of which effected salutary changes; but in the manifesto issued by the queen regent on the accession of her daughter, he had declared his determination to maintain the old forms and instruments of government, and admit no interference with the catholic church; and had held out no hope of convoking a representative body to modify the prerogative, or control any of the great functions of the state. The old provinces formed divisions of the kingdom extremely unequal in population and extent, in which the captains-general ruled with irregular and ill-defined authority; in one part of the kingdom, a very strict, and in another, a comparatively mild spirit might exist in the administration. M. Zea introduced a new division of the provinces into forty-nine sub-delegations or prefectures, each of them being placed under the civil government of its own sub-delegate, and containing about 250,000 inhabitants. He did not uselessly break up ancient distinctions of

[2 B]

character and manners, or long-confirmed local associations, for the sake of geographical or statistical proportions, an error into which both Napoleon and the Cortes, of 1822, had fallen, when they sub-divided the kingdom, in total disregard of the old distribution of provinces and vice-royalties. He contented himself with a subdivision of the existing provinces, without otherwise disturbing the ancient landmarks.* The only effect of this measure seemed to be to excite against the minister the jealousy of the captains-general, from whom it took the civil administration, and who, therefore, deemed it a vexatious interference with their discretionary authority. His administrative appointments, under the regency, had hitherto been uniformly of a liberal character. He had abolished many of the absurd restrictions which discouraged the sale of several of the most important productions of Spanish industry: he had relieved many manufactures from various privileges and monopolies with which they were burdened: he had mitigated the rigour of the censorship; the Spanish journals began to devote themselves to the discussion of public interests; they laboured industriously on topics of political economy; and day after day the liberals insisted more and more earnestly on the necessity of giving the country "constitutional guaran-

tees," and assembling a representative Cortes. To such demands the reply of the minister was, that all the measures of his government were so many securities against future abuses of power. The existence of the irremovable council of regency, which had been named by the king, increased the difficulties of his situation. There was little harmony between that council and the proper cabinet of the queen regent. Some of the most influential members of the former were attached to the cause of liberalism; by its resistance it could always embarrass the march of the government, and diminish the consideration in which it was held. By the Carlists, M. Zea was treated as a declared enemy; the hierarchy regarded him as a protector only from views of temporary expediency; and to the liberals of all shades, he was an obstacle in the way of their farther progress.

A minister, who was thus unable to unite, in defence of his policy, any considerable body of influence, could not be an useful minister, when the crown of his royal mistress depended on the unanimity with which the country might be induced to maintain it on her head. If the liberals could not force their politics into the cabinet, it was not beyond the reach of possibility that they might attempt to make better terms with her rival: they might even excite a movement directed against both the competitors by which her dependence upon them would only be increased; and, at all events, attacked as she was by a civil war, their very indifference might inflict a fatal wound. The necessity of changing her minister and her principles of intended policy was now spoken out to the queen regent in language which

* The Asturias, Murcia, and Navarre, the three smallest provinces, were still to remain, each of them, under the charge of a single civil functionary; Extremadura and the Islands, were to have, each two sub-delegates; Arragon, Valencia, and Vascongadas, three each; Catalonia and Galicia, four each; Leon, five; each of the two Castilles, six; and Andalusia, eight.

were the air of menace. Llauder, the captain general of Catalonia, had distinguished himself in the recent history of the Peninsula by his devotion to the cause of despotism; but he had likewise distinguished himself by devotion to the cause of his own personal ambition, and there was no reward which he might not expect from liberalism, if he made, at the present crisis, a hardy movement in its favour. Although a native Catalanian, he had been brought up in one of the Irish brigades, and owed his first promotions and future fortunes to General Lacy. When Ferdinand returned to Spain, restoring all the iron abuses of the old government, Lacy attempted, in 1817, a military revolution in the neighbourhood of Barcelona. He failed, and endeavoured, with some of his officers to escape into France. The regiment, in which Llauder was then a captain, was quartered at the time in Barcelona, and was sent out in different directions in pursuit of the fugitives,—the officers, however, having private instructions from Castaños, who commanded in the province, and entertained a high esteem for Lacy, not to overtake the general if they could avoid it, but to allow him to get across the frontier. Llauder, in particular, unfortunately for the general, was sent with his company in a different direction from the rest of the regiment, and in that direction which Lacy was secretly known to have taken; for it was thought his life would be safe in the hands of a man who owed everything to him. But ambition is “made of sterner stuff.” Honours and preferment awaited the captor of the insurgent general. Llauder pressed the chase of the hunted fugitive by forced marches,

and seized his prize. Llauder was made a general, and his benefactor was shot. In his turn he was compelled, by the triumph of the liberals in 1820, to seek refuge in France; he had no friend, whom he had loaded with favours to pursue his flying footsteps, and lead him to the scaffold. He returned in the train of the French army in 1823, and was appointed to the office of inspector-general of infantry. When the Parisian revolution of 1830, again exposed the northern provinces of Spain to the armed inroads of her exiled liberals, Llauder was named to the command of the army of Navarre, as being a tried exterminator of all who bore that odious name. He justified the confidence which had been reposed in him, frustrating all the ill-arranged designs of the invaders, and directing the chase after Mina as eagerly though not so successfully, as he had pursued general Lacy.* Soon afterwards his well-proved inclination to use the extremities of fire and sword against the enemies of the absolute prerogative was rewarded with the captainship-general of Catalonia.

Such was the man who now stood forth all at once the bold and frank assertor of popular rights, demanding from his sovereign the establishment of popular institutions almost at the point of the bayonet,—a change more likely to be the result of views of private interest, than the slower process of altered convictions. In the last days of December, 1833, he addressed to the queen regent an epistle, or remonstrance—immediately rendered public—in which,

* *Vide* Vol. LXXII. p. 393.

after eulogizing his own conduct in the different offices he had held, he attacked the minister by name, and informed her majesty that an armed insurrection, and the overthrow of her daughter's throne, would be the inevitable result of his continuance in power. The government, he said, was in the hands of "men who, in studying arbitrary governments in foreign countries, have forgotten the wants and wishes of their own, and everything that could secure the well-being of the administration. The administration of Zea is arrived at such a point of unpopularity, that its continuance menaces public tranquillity, and endangers the throne of Isabella II. While Spain is afflicted with civil war, ministers, not satisfied with having been too feeble to save the whole kingdom from this scourge, seem to regret that it has not reached Catalonia, and have followed measures which would justify a charge against them of conspiring equally against the interests of your majesty and the tranquillity of the province." "The nation," continued this new apostle of the constitution, who had so valiantly persecuted the audacious men that had dared to recal to the recollection of Ferdinand his royal pledges, "the nation cannot forget that the late king promised her solemnly, by his ordinance of the 4th of May, 1823, that the Spaniards should not be deceived in their expectations; that he detested a despotism which the light and civilization of the age no longer permitted; that, in order to hinder the caprices of the rulers from again overthrowing, or betraying the throne, he had decided to maintain alike, on the one side, the dignity and prerogative of the crown, and on the other, the rights

of the people, which are equally inviolable; to consult the procurators of Spain and of America, and to assemble the Cortes in the form, and in the same manner, in which his ancestors had done before him; that at the same time that the royal inviolability would be firmly assured by laws which should guarantee order and public tranquillity, guarantees should be given for the good administration of the taxes, which cost so much time and trouble to the contributors, and that those taxes should no longer be arbitrarily fixed by a minister, but regulated and discussed in a general Cortes of the kingdom; that the same Cortes should make and promulgate the laws which should establish the rights of Spain; and, lastly, that all the nation should see that he did not wish to be a despot and a tyrant, but, indeed, the king and father of the Spaniards. "The promises of kings are sacred, Madam; their accomplishment ought to be infallible, like that of the prophecies of divinity. This is why I and the nation, who will not attempt to demand anything which is not due, and has not been promised to us, do recall to your mind, with hearts full of bitterness, such solemn declarations, which came from the mouth of our king at the moment he was receiving, from our hands, a crown re-conquered by the blood of a million of men. The principles of these declarations are so closely connected with the very rights of the queen minor, that only madmen could have advised your majesty to follow the steps you have been walking in up to the present day; and what responsibility does not weigh upon the perfidious counsellors who have given room to distinguished writers

in Europe, to Martignac and others, to consign to history this failing of a royal and sacred promise? The existence of the throne of the queen minor is, I repeat, bound up with the accomplishing of the promises of the late king; for no one will be able to think that fifteen long years of minority can pass on, resting upon anything so frail as a power without responsibility. What is now taking place, and all that has happened for twenty-five years past, ought to convince your Majesty that, if there are now in Spain fanatics and malcontents of every opinion (as happens in all classes and in all countries), it is in the immense majority of the nation, with the knowledge she has received from circumstances, that the surest support of the throne of your royal daughter is to be found, whom just and sage laws will soon deliver from the attacks of usurpation. It is because these laws have failed, and that the state of things has not been acknowledged, as well as the wants of the different populations, that the nation has had to traverse this long period of disasters and calamities. Spain has still before her eyes the first acts of your majesty, which have assured the rights of your daughter by filling all hearts with enthusiasm! but this enthusiasm is growing cold; the people, overladen with taxes for so many years, are beginning to lose the hope that the dynasty would at last take pity upon their situation, and the progressive decrease of the resources which must at once supply its subsistence, and provide for the public charges. This situation, if it is prolonged for some months longer, will do more for the enemies of Isabella II. than all the efforts of a party which derives its

importance only from the errors of its opponents. How many Spaniards hesitate to embrace the cause of your daughter from the fear of seeing her legally succeeded by the Pretender, through the chances to which her life may be exposed, before she attain the age that would justify the nation in expecting another successor. Those who may compromise themselves in the cause of your majesty have a legitimate claim to guarantees, and it is only the nation, assembled in Cortes, that can give them. The minister Zea has done so much, that the comparison is sad, and even dangerous, between his acts and the promises of the pretender, who is offering free Cortes, with other advantages, and still farther guarantees." As the only remedy for all these evils, and the only safeguard against all these dangers, the framer of this remonstrance concluded with requesting her majesty instantly to dismiss her ministers, and choose servants in whom the country would repose complete confidence, and immediately to order the convocation of the Cortes, in their three estates, giving to that assembly "the powers and the latitude with which the present circumstances require that it should be invested."

It was not unnatural that the queen should be both offended and alarmed, when such a tone was assumed by one of her own servants, — a servant who was at the head of the military force and civil resources of one of the most important provinces of the monarchy. Barcelona, moreover, the capital of Catalonia, in consequence of its commercial character, and its more constant intercourse with foreign countries, was better disposed to constitutional doctrines than other great city of Spain. Ll

had undoubtedly calculated beforehand the support which he might expect in that quarter, and the weight which public opinion might thus lend to his representations. On the queen regent's disapprobation of the step which he had taken being notified to him, he assembled the principal authorities of Barcelona, read to them his memorial, and desired to know whether they coincided in his views of the existing government? They all answered in the affirmative. The commanders, too, of the troops in garrison at Barcelona, and of the volunteer corps, joined him in demanding the expulsion of the ministry, and promised to support him in any measures which the crisis might render expedient. He obeyed with such reluctance the order to give up the civil government of the district of Barcelona to the subdelegate, that the population of the city assembled, expressing their determination to allow no diminution of his authority, and did not disperse till assured that the installation of the new functionary had been postponed. On the morning of the day on which this occurrence took place, Llauder had gone to the country, after publishing in the newspapers that he intended to do so, as if the swearing in of the subdelegate were a mortification and insult which compelled him to withdraw his presence from the ceremony; and, on his return, he issued a proclamation imputing to the intrigues of the Carlists the disturbance which he had thus prepared. Even in his memorial to the regent he took credit to himself for having preserved Catalonia by intentional disobedience of the orders transmitted to him from court.

The example of Llauder was followed by Quesada, the captain

general of Old Castille, who insisted, less on political considerations, than on his own unrequited services, and the influence of his enemies, but was equally strenuous in demanding the dismissal of the minister. The regent found it necessary to comply, even at the risk of the concession wearing the air of having thus been extorted. In the beginning of January, M. Zea and several of his colleagues resigned. Their successors necessarily were sought among the constitutionalists, for a more moderate administrator of an absolute government, than the displaced premier, could not reasonably be looked for; and, at the same time, the risk was to be avoided of calling into the service of the crown, men whose innovations might both endanger its security, and alarm the large mass who still wished to depart no farther than might be necessary from the ancient usages of the kingdom. The office of prime minister was given to don Martinez de la Rosa; don Nicholas Gazeli, a member of the council of regency, was named minister of justice; don Vasquez Figuerosa, was made minister of marine; the ministry of the finances was separated from that of the home department, and conferred on don Josef Arnalde. Of the former Cabinet Burgos still retained his place as minister of the interior, and Zarco del Valle as minister of war. None of the men thus admitted into the cabinet were distinguished for exaggerated or dangerous opinions, although all of them were declared friends of representative governments. The new premier had filled the same office for a short period in 1822, and his ministry of that day enjoyed the character of having been the only one that discouraged political extravagances

and aimed at moderate councils, its predecessors having been too obsequious to the clubs of Madrid, while its successors were accused of having degenerated into absolute jacobinism. Being proscribed and driven into exile, on the restoration of the royal authority by the army of the duke of Angoulême, he retired to Paris, where he continued to live in obscurity, till the amnesty published by Ferdinand in 1832, enabled him to return to Madrid. In regard to representative governments, he had always held the opinion that two chambers were necessary, both to restrain the thoughtless haste of popular innovation, and because such an arrangement was most likely to conciliate the confidence, or at least to mitigate the aversion, of the aristocracy and the church. His capacity was held to be more questionable than the uprightness of his intentions: he was considered to be deficient in firmness and determination of purpose—great disqualifications of a statesman at all times, but doubly so in seasons of political excitement and change. When a country is in labour with a new form of government, the want of presence of mind and steadiness of nerve in the operator may be as fatal to parent and child as his want of skill. The new minister of marine, an admiral of long standing, had been at the head of the same department in 1817, but had likewise fallen into disgrace in 1822, as having shewn too little predilection for the triumph of absolute principles. At the same period Gazeli, a moderate liberal enjoying a high character as a private individual, had held the seals which were now restored to him, and M. Zea himself, before his fall, had destined him for that

office. Arnalde held political opinions of the same colour, and had acquired some reputation for financial and statistical knowledge. Burgos and Zarco del Valle manifested, by remaining in office, their willingness to go along with their new colleagues; and they, as well as de la Rosa, were personal friends of the marquis des Amarillas and other leading members of the council of regency, whose influence had contributed not a little to bring about the change in the cabinet. In truth, the existence of a cabinet conducting the government, distinct from the council of regency appointed to advise and direct the regent by whom that government was to be administered, was of itself sufficient to produce confusion and distraction. If the policy of the council of regency did not prevail, it ceased to be the only thing for which it had been created; and simplicity and efficiency of government were much better secured by allowing it to exercise its functions directly, than merely to act through the medium of a different and rival body. As the politics of the council of regency and of the council of state, were held now to be the same, the latter was suspended, by a royal ordinance, for the period of the minority of the queen, as performing the same functions with the former. The separate councils, likewise, of Castille, and of the Indies, were suppressed, their judicial functions being transferred to a new supreme tribunal of Spain and of the Indies, which was placed at the head of the law courts, while their administrative duties were to be performed by a royal council of Spain and the Indies, divided into sections, attached to the different ministerial departments. Some of

improvements of a similar character were introduced into the administration, preparatory to the great work, to which the new ministers now applied themselves, of fixing and regulating the constitution of the representative Cortes.

But the government while thus employed in framing a constitution had likewise to conduct a civil war on the frontiers, and crush insurrections and conspiracies in the interior. Although don Carlos had been forced to seek refuge in Portugal, he continued to hang on the Spanish frontier with the armed bands which still adhered to him, not sufficiently strong for purposes of invasion, unless don Miguel, should lend him the aid of his army, but affording, by his presence a rallying point for his partisans, and encouraging discontent throughout the provinces. In Valencia a band of insurgents, under the command of a Baron Herves, had taken possession of Morella, and resisted for sometime the efforts of the royal troops to reduce them. In the end of December, they issued from their stronghold, and entered Arragon, for the purpose of either seeking adherents in that kingdom, or of reaching its northern districts, from which they could communicate with the main army of the Carlists in Navarre. The royalist commander, who followed them, came up with them at Calanda, and immediately attacked them. The action terminated in the total dispersion of the insurgents, at an expense to the victors of only four soldiers and an officer. Herves himself, and some of his principal officers, were made prisoners, and were forthwith put to death. Morella was recovered, and Valencia was no longer disturbed. At Ori-

huela, the students of the University made an attempt to proclaim Don Carlos, but the police was sufficient to suppress them, and apprehend their ringleaders, other partial commotions took place on different points of Murcia, which the local authorities succeeded in putting down before they had become dangerous.

The government, unfortunately, in attempting to organize a sort of national guard, or urban militia, had followed a plan which excited universal discontent among the classes who are most easily acted upon in political movements. They knew that the influence of the priesthood was wholly employed, either openly, or more secretly, on the side of Don Carlos, and that this influence was strongest with the lowest and uneducated orders of the people. To avoid, therefore, the supposed danger of putting arms into the hands of these classes of persons, the government adopted a regulation which excluded from the urban guard all whose income did not amount to a certain sum. This limitation disqualified great numbers of persons who already were embodied in the civic force, and who probably were not anxious to earn a livelihood by any course of more regular industry, and it irritated large portions of the commonalty, who deemed themselves unjustly branded with a mark of inferiority and distrust. On the other hand, the wealthier classes, whom the decree comprehended, were displeased at being required to bear exclusively the burden of actual service. The men most willing to serve were in general not qualified, and those who were qualified were still more generally unwilling. The unpopularity of

the measure induced ministers to depart in some degree from its strictness, and to admit the numerous class of merchants, clerks, shopkeepers, foremen and apprentices, and others in similar situations, provided they were in the receipt of not less than 5,000 rials, or 50*l.* sterling; but this concession was insufficient to allay the fermentation. In Catalonia, Llauder refused to carry the decree into execution, and declared by a circular of the 26th February, that it was to be considered as null and void in so far as his province was concerned. At Seville, the existing urban volunteers disbanded themselves so soon as they learned the basis of the new regulation. The same thing took place at Valladolid, Santander, and Salamanca; and at Sebastian, in a part of the kingdom where it was of especial importance, to cherish a spirit of goodwill towards the government, because it was the scene of the Carlist warfare, the decree was openly burned in the streets of the town, in defiance of the authorities. In Madrid, a body of Carlists, taking advantage of the general dissatisfaction, rose in arms, fired upon the Queen's troops, and fortified themselves in one of the streets. After making a desperate resistance, they were compelled to surrender. The blame of the unpopular decree was laid principally on the head of M. Burgos, the minister of the Interior. The populace, not satisfied with calling loudly for his dismissal, collected in crowds round his hotel, and demanded his head. One of his journals having reprobated in strong terms the conduct and the motives of the discontented, a military force was found necessary for the protection of the

house and person of its editor. To restore peace the government so far revoked the obnoxious ordinance, as to permit the different kinds of civic force already existing to continue on their former footing.

These discontents unfortunately were most prevalent, where it was most necessary to provide a military force to crush the armed insurrection of the Carlists in the northern districts of the kingdom. In the sort of warfare which was there maintained, it is not easy to follow the movements of scattered bodies of men who were engaged in sudden invasions, rather than in the combined operations of a regular campaign, showing themselves at different and distant places at the same time,—when dispersed at one point, separating only to unite again on another, and compelling the royal troops opposed to them to pursue the same desultory scheme of tactics. The operations and the armies of the Carlists were confined to Navarre, Guipuscoa, Biscay, and Alava; they do not seem to have pushed forward into Burgos. Even in this district they possessed only the open country. In Biscay, Bilbao; in Alava, Vittoria; in Navarre, Pampeluna; in Guipuscoa, Irun and Sebastian's, were all in the hands of the Royalists, or Christinos. The Carlists did not occupy any fortified town. The forces of the latter were said to amount, when all combined, to six or eight thousand men, a force not calculated to give much uneasiness to any government, if it was not aided by malcontents in the interior. The supreme command was vested in Zumalacarregui, having under him Zavala, Eraso, and the priest Merino, who had not yet forgotten

his former military occupations. It was seldom, however, that they acted together, and when they separated, each leader followed the plan of attack or retreat, which he thought best fitted to annoy the enemy, or to secure provisions for his own men. They commonly divided themselves into two principal bodies, the larger of which, or the army of Navarre, confined itself to that kingdom, falling back when necessary, into the valley of Bastan, and the neighbouring recesses of the Pyrenees; the other, drawn principally from the Biscayan provinces, acted in Biscay and Guipuscoa. The strength of the insurgents lay, not in numbers, military equipment, or military skill, but in the nature of the country, which supplied them with strong recesses, impeded pursuit, and embarrassed combined or scientific movements. The troops of the regency opposed to them were commanded by Valdez, Mina having retired ostensibly on account of bad health. Under Valdez were Lorenzo, and general Jauregui, better known by the name of El Pastor, under which he had formerly gained his guerilla reputation.

It would afford no instruction to record the scanty and contradictory details of skirmishes and marches which led to nothing, and which, neither in the acting of them, nor in their results, exhibit any feature of interest. Sometimes a general of the regency dispersed a band of the Carlists; at another time a body of the latter took their revenge by defeating a detachment of the troops of the regency. Sometimes the Carlists seemed to be masters of Navarre, advancing even to the south of Pampeluna; at other times they

were pressed back to the utmost recesses of the Pyrenees, and the very frontiers of France. It was not their tactics to fight, and their opponents found it impossible to compel them to fight, pitched battles. In the last days of December, 1833, Zumalacarregui had assembled their different divisions, near Estella, between Vittoria and Pampeluna, for the purpose of making some movement to the south. He was attacked by part of the Royalist army commanded by general Lorenzo; the contest ended favourably for the latter; and the Carlists were compelled to retreat, but without any considerable loss either in killed, wounded, or prisoners. To retreat, they separated, the main army retiring into Navarre, the remainder into Biscay. Before the end of January, they had again advanced as far as Onate, and the work had to be done over again. General Valdez, who had his head quarters at Pampeluna, took measures to bring them to action; but they broke up, and again retired in different directions, the Royalist commander dividing his forces into three different bodies in order to pursue them. One division, commanded by Jauregui, pursued northwards into Biscay, and took possession of Vergara, in Guipuscoa, the Carlists retreating farther towards the sea, or eastwards into the Pyrenees, through the passes of which they might rejoin their main body, which had returned to its usual place of safety, the valley of Bastan. This latter column was pursued by Lorenzo at the head of one column and by Valdez himself at the head of the other: but it reached the Bastan with only a very trifling loss, according to the account of the Royalist com-

mander himself. A third body of the insurgents took the direction of Sanguesa, on the frontiers of Arragon, whence they were likewise able to communicate with the valley of Bastan, which formed on all occasions their stronghold and rallying point. The war, however, was as far as ever from being concluded. No sooner had the troops of the regency returned to the neighbourhood of Pampeluna and Vittoria, than the Carlists again advanced. In the end of February, the column of insurgents, which acted in Biscay, obtained possession of Guernica, the garrison, though strongly reinforced, having been compelled to abandon it from want of provisions and ammunition; and Zumalacaregui was again in the neighbourhood of Estella, between Pampeluna and the Ebro, with Lorenzo before him, and the garrisons of Pampeluna and Vittoria behind. On more occasions than one the insurgents seem to have placed themselves in this apparently hazardous situation, without any combined or vigorous attempt being made to cut them off. Valdez, having thus shared the fate of his predecessors in being unable to do anything decisive, shared it likewise in being deprived of the command: Quesada, who by a remonstrance in his capacity of Captain general of Old Castille, had contributed to the elevation of the new ministry, being appointed to replace him.

The civil war was carried on by proclamations and decrees, as well as by military operations. Each party acted as being the legal government of the other, and treated their opponents, not according to the regular usages of war, but with the summary punishments which

offended sovereigns inflict on armed rebels. A proclamation or royal order in the name of Don Carlos, as Charles V., countersigned by the Bishop of Leon, who had followed that prince on his emigration to Portugal, as his minister of justice, directed all persons found in arms for Isabella II. to be put to death, but added, that the august persons of the young queen herself, her mother, and her infant sister, were to be respected. On the 9th of February, Zumalacaregui, as representative of Charles V., put forth an ordinance directing, that all magistrates or authorities circulating, or acting, on any orders emanating from the government, styling itself that of the reigning queen, or from persons who defended her cause, or spoke in favour of it, should be given over to the military power to be summarily dealt with; all persons carrying letters or papers directed against the rights of Charles V. were to be treated in the same manner, and magistrates who concealed such papers or letters were to be shot. Alcaldes, who should assist the troops of the queen, were to be punished with death, and confiscation of property, as traitors; all persons belonging to the Spanish army were required, under a similar penalty, to join the standard of their rightful king within three days; this requisition was to be addressed to them by the magistrates of the places where they resided, and magistrates who neglected or refused to make it, were rendered subject to military law. The commanders of the regency adopted the same expedients. The governor of Santander, in concert with the sub-delegate or prefect, issued a general order on the 22nd March, in which it was declared,

that all rebels taken with arms in their hands, to whatever class they might belong, should be put to death, with no longer delay than might be necessary to afford them the consolations of religion. The same fate was denounced against all who should assist the rebels with arms, money, or ammunition, advice, or information. Members of municipal councils, and magistrates of towns, whose territory should be occupied by the rebels, and who should not instantly communicate the fact to the commander of the nearest detachment of her majesty's forces, allowing an hour and a-half for each league of distance, were to be put to death, if the omission was wilful; but if it appeared to have been the result only of carelessness, they were to be mulcted in a fine of 1,000 ducats, and sent for six years to the penal settlement on the coast of Africa. To conceal a rebel in one's house, was to incur a fine of 500 ducats and four years banishment; while a fine of 200 ducats, and two years imprisonment as the punishment for communicating with the insurgents either verbally or by writing, even though the communication should not be fitted or intended to favour their projects.

In addition to these local regulations, the government at Madrid adopted more general measures against the religious bodies who lent their countenance, and even furnished active assistance to the partisans of Don Carlos. On the 26th of March a royal decree was promulgated which enacted, that wherever secular ecclesiastics, of whatever class or hierarchy, had abandoned, or should in future abandon, the kingdom, by joining the ranks or juntas of the rebels,

or quitting the kingdom without license, possession should immediately be taken of their temporalities, without any other process than the flight of the ecclesiastic public report. If the ecclesiastics were guilty of providing the rebels with arms, ammunition, or money, or of receiving or concealing, or inducing persons to join the exciting movements and sedition in order to withdraw them from the obedience due to the government, their temporalities were to be, not merely sequestered, but confiscated. The confiscation was to be "only preceded by a summary inquisition, and farther measures shall be required." If the forfeited ecclesiastic possessions were to be sold, a sum was to be set apart from the confiscated revenue might be considered by the king as a sufficient atonement for an incumbent to discharge his clerical duties; and the rest of the confiscated property "will be destined," said the regent, "to the payment of the assignments of the war." I may be pleased to grant for the drying up of the tears, and consolation of the parents, children, and widows of the loyal who have been killed, or may die, in defence of the safety of the country, and the legitimate rights of my daughter. The remainder shall be applied to the extinction of the public debt." Another decree of the same date, was directed against the monasteries. By its provisions, every monastery was to be suppressed, from which no individual should join the rebels, unless the superior, within twenty-four hours thereafter, should give notice of the fact to the royal authority, and certify that he had commenced the necessary pro-

ings against the fugitive. All monasteries and convents were likewise to be suppressed in the following cases:—1. if a sixth part of the community passed over to the rebels; 2. if warlike stores, clothing, arms, or ammunition were received into it with the connivance of the superior; 3. if, with permission or knowledge of the superior, clandestine juntas met within it, to subvert order and conspire against the state. The utensils consecrated to divine worship belonging to such suppressed institutions, were to be distributed by the respective diocesans among the most necessitous parishes within their bounds; the rest of the property, whether moveable or real, was to be sold by public auction, and the proceeds were to be applied, as in the former case, towards payment of the national debt, after providing pensions for the parents, widows, and children of men serving in the army of the regency. These decrees were not allowed to remain altogether a dead letter.

In the end of April, twelve canons, chaplains, &c., belonging to ecclesiastical establishments in the diocese of Burgos were banished, and possession was ordered to be taken of their temporalities. The order was appointed to be published in the churches to which these ecclesiastics had been attached, and the archbishop of Burgos was directed forthwith to declare the vacancies.

These measures, however, had no effect in putting an end to the warfare by which they had been produced, although, by exciting irritation, and provoking retaliation, they increased the bitterness of spirit with which it was conducted, neither party shewing mercy to those of the other who fell into their hands. Quesada,

the new commander arrived in Navarre in March. Zumalacarregui, with his army of Navarre, had again pressed forward beyond Pampeluna, to cut off the division of general Lorenzo, before he should be joined by Quesada. On the 29th of March he attacked Lorenzo in his position, drove him from it, and pushed him back to the gates of Estella, with the loss of only five men killed and twenty-four wounded. But there was no route, and the Carlist commander was compelled to retreat on the approach of Quesada. The latter, however, either being misled by inaccurate information, or conducting his march too carelessly was drawn into an ambuscade by Zumalacarregui, who killed or made prisoners 200 men of his vanguards. Five officers of the regent's army fell into the hands of the Carlists, and were immediately shot. The insurgents again advanced, and the war assumed features of deadly atrocity. In the end of May, the Carlists were burning alive soldiers of the queen's troops almost within sight of Pampeluna, and within a few miles of the still more advanced position of Estella. This mode of execution was said to have been adopted in revenge for the queen's troops having massacred some wounded Carlists whom they discovered in a village; and the government troops, by way of reprisal, shot their prisoners. Quesada having thus been more markedly unsuccessful than his predecessor, the command of the royal army was again changed, and given to general Rodil, who had just returned from compelling Don Carlos himself to quit the Peninsula.

Government, in the mean time, had been sedulously occupied in

framing what might be termed the new charter or constitution of Spain, which was to convoke the Cortes, neither in the empty form under which they had degenerated into mere instruments of absolute power, nor constructed in that spirit of democratic and theoretic equality which had distinguished the revolutionary government of 1820, but by their separate estates, —the shape in which they had existed, or were supposed to have existed in the most prosperous periods of the monarchy. The charter, or royal statute, which fixed the constitution and defined the powers of this legislative body, was promulgated on the 15th of April. It was preceded by a long memorial, or ‘*Exposition*,’ addressed to the regent, and signed by all the ministers,* explanatory of the reasons, historical and political, on which the new arrangements were founded. They laid it down, that, by an inveterate right and practice in Spain, as ancient as the existence of the monarchy, every sovereign, on his accession to the throne, and the guardians of the sovereign when the sovereign was a minor, had to swear to observe strictly the fundamental laws of the state, neither infringing nor departing from them, and looking in every case to the general welfare of the kingdom. It was farther a fundamental maxim of Spanish legislation, set down in a famous

law of Don John II., and attested by the lapse of ages, that “on great and arduous occasions the Cortes shall be assembled, and the three estates of our kingdom shall be consulted, as has been done by the kings, our predecessors.” It had also been an undeniable principle of the public law of Spain, that no taxes, contributions, or imposts, should be levied without the previous consent of the Cortes of the kingdom. Both of these laws, indeed, said this memorial, “were surreptitiously suppressed in the last compilation of our laws; but so powerful is the influence of custom, and so deeply rooted in the public mind is the ancient belief of the concurrence of the Cortes being required in various cases, both as a necessary formula and as giving strength and vigour to the law, that when decrees have been promulgated without this requisite, it has been customary to declare them to be as valid as if they had been published by the Cortes.” If the Cortes were thus regarded at all periods, and in all circumstances, as an institution essential to the good government of the monarchy, their aid was more necessary during the minority of a sovereign than on ordinary occasions; it was more necessary, in a time of civil dissension and bloodshed, like the present, than in seasons of tranquillity; and, above all, was it most necessary, when a rival pretender was claiming the crown, and fomenting intestine war, as a prelude to usurpation. The convocation of the Cortes was the only legal means, recognized by immemorial custom, to silence unjust pretensions, compel the parties to lay down their arms, and pronounce an irrevocable judgment, a pledge, and a security

* By this time M. Arnalde, the minister of finance, had been succeeded by Don Jose de Imaz. The resignation of the former was ascribed to some difference of opinion with his colleagues regarding the convoking of the Cortes, or the form of their constitution; but his appointment had been, from the first, only provisional.

for the future peace of the state. The ministers, therefore, expressed their firm conviction, that the most efficacious means for placing the queen firmly on the throne lay in restoring the fundamental laws of the monarchy to their original strength and vigour, beginning with the convocation of the general Cortes of the kingdom.

The great question which arose was, in what way the Cortes should be convoked. The Spanish empire had been formed by the successive aggregation of many different states, each of which had its Cortes in its own particular form. Even in Castille, no constant and uniform rule in the mode of convoking the Cortes was to be found, or, if it were to be found, it ought not to be adopted in the midst of such a variety of circumstances and events; for it should not be the chief object of a government to disinter ancient institutions suitable only to remote ages, and which arose under different relations; but it should apply the fundamental principles of the ancient legislation with wisdom and discernment to the present state of society, the welfare of which was the end and object of all civil institutions. The fundamental principle of the ancient Cortes of Spain was, to give influence in the important affairs of the state to those classes and persons who were the depositaries of great interests in the common patrimony of society. During the first ages of the monarchy, no one assisted at the general juntas of the kingdom, but the prelates and the nobles, because these two classes alone were then the proprietors of property, privilege, or power. But the middle classes, acquiring new importance, and obtaining municipal rights and franchises,

gradually aspired to a vote in the general assemblies of the nation, and this they had, in effect, gained in Spain sooner than in the other monarchies of Europe. Their influence had so increased that, in the time of Charles II., the clergy and the nobles had been excluded from the Cortes; but this innovation, though apparently calculated to augment the influence of the popular estate, had produced a contrary effect: the just equilibrium, so necessary to the good government of the monarchy, was destroyed; and from that period the ancient institution of the Cortes was so bastardized, that, in modern times, it had come to be scarcely a shade of what it once had been. The right of sitting in the Cortes had been gradually limited to a small number of towns, cities, and municipal bodies, whose very nature had changed in the lapse of ages. To retain the Cortes in this form, therefore, would not furnish a body entitled to represent the great interests of the state. Neither the progress of society, nor the spirit of the age, nor the circumstances in which Spain was placed, could permit its citizens to remain contented with a mere semblance of the Cortes. Without venturing on dangerous innovations, they ought to return to the path of the law, which should never have been quitted, restoring rights which ought never to have been abolished, nor allowed to be lost by prescription or desuetude, securing the legitimate advancement of all social interests, and silencing the murmurs of parties by the voice of the nation.

The new organization of the Cortes, or their old organization modified as existing circumstances seemed to require, was contained

in a royal statute, consisting of five titles. The first of these titles merely declared that the Cortes were to consist of two estates—the peers and deputies, for it was part of the new constitution that the Cortes should consist of two chambers. “The estate of the proceres, or peers,” said the ministerial exposition, “is so convenient and necessary, that a similar institution is to be found, under some form or other, in almost every kingdom of Europe, not only in the moderate monarchies, but in the freest republics, ancient as well as modern,—an evident proof, that a barrier is required against the violence of the popular elements, in order to secure liberty against anarchy as well as despotism.” The second title contained the constitution of this chamber. It was to consist—1st, of the grandees of Spain, whose right was to be hereditary, and dependent only on birth; but it was required that the individual should be twenty-five years of age, be in the enjoyment of an annual revenue of 200,000 reals (2,000*l.*), holding his property free from any sort of burden, not lying under criminal prosecution, and not being the subject of any foreign power. The other members of the chamber were to be named by the king, and to enjoy the right only for the period of their own lives. They might be named from among 2—the archbishops and bishops; 3—the Titulos of Castille; but only those Titulos could be named peers who possessed the qualifications required of the hereditary peers, except that the annual revenue in the enjoyment of which it was necessary they should prove themselves to be, was 80,000 reals, or 800*l.* a-year, instead of 2,000*l.* 4—Individuals

distinguished for their services in the various departments, who were, or had been, secretaries of state, members of the chamber of Deputies, councillors of state, ambassadors, or ministers plenipotentiary, general officers of the army or navy, or members of the supreme courts of justice. 5—Landed proprietors, and the heads of manufacturing or mercantile establishments who had been previously deputies, and possessed, in addition to personal merit and other suitable circumstances, a clear annual income of 60,000 reals, or 600*l.* 6—Individuals who had acquired celebrity in the cultivation of letters, or of the sciences, or in the practice of instruction. It was required of these, likewise, that they should possess an annual income of 600*l.* but it might arise either from property of their own, or from salaries paid by the treasury. The king was to have the power of naming the president and vice-president of the Proceres; and his prerogative was declared to be unlimited in regard to their number. The crown was likewise to frame a code of regulations for the conduct of the business and deliberations of the chamber.

The constitution of the chamber of procuradores, or deputies, was contained in the third and fourth titles of the royal statute. The qualifications of a deputy were, that he should have completed his thirtieth year, and possess an annual income of 12,000 reals, or 120*l.*; that he should be a native of the province for which he was returned, and should either have resided in it during the two years preceding his election, or possessed within it rural or urban property yielding one half of his pecuniary qualification. Persons who were

lying under criminal prosecutions or had been convicted of any offence inferring infamy, or laboured under any notorious and permanent physical incapacity, and all persons who were in arrear to the public treasury for two payments, or whose property was under sequestration, or who, as merchants, had been declared insolvent, or had suspended their payments, were declared specially to be disqualified. The powers of the deputies were to last for three years, unless the Cortes were sooner dissolved; and they were to be always re-eligible. For the conduct of their business and debates, as for those of the peers, the crown was to provide by a separate code of regulations; but the king, instead of naming their president and vice president, was only to have the power of selecting these functionaries from a list of five presented to him by the chamber.

The fifth title of the royal statute contained what were called "general provisions," fixing the great constitutional relations of the legislative to the executive, and of its different parts to each other. It was declared that to the king exclusively belonged the power of convoking, suspending, and dissolving the Cortes, the only occasions specially set down as rendering their convocation imperative, being the demise of the crown, and the occurrence of any arduous affair which the government might consider so important as to require that they should be consulted. In the event of a dissolution of the Cortes, it was made necessary that others should be convoked before the lapse of a year. They were not to have the power of deliberating on any matter whatever, which had not been expressly sub-

VOL. LXXVI.

mitted to their examination by a royal decree, but the right which they had always enjoyed of presenting petitions to the king, was reserved to them. In regard to money matters, it was enacted, that no tax could be exacted till the Cortes had voted it on the proposal of the government; that taxes should not be voted for a longer period than two years, at the end of which time they were to expire, unless previously renewed by the Cortes; and that before any taxes were voted, the different ministers should lay before the Cortes a detailed statement of the conditions of the various branches of the public expenditure, and then present the budget. Nothing was to become law without the approbation of both chambers and the sanction of the king. The deliberations were to be public, except in cases to be provided for by the code of regulations; and it was provided that the members should be inviolable for their opinions and votes in the discharge of their duty.

This decree was silent as to the most important part of a popular constitution; the mode of election and the qualifications of the electors. These were regulated by a subsequent ordinance, or electoral law of the 30th of May. It was reckoned desirable not to impress on this part of the new arrangement a character of perpetuity by mixing it up with fundamental provisions, but rather to announce from its very origin, that it was to be the subject of gradual change and improvement. Admitting from the outset that the franchise should be founded on property, the ministry had been desirous that it should be exercised only by persons posse-

[2 C]

after much controversy, they satisfied themselves of the impossibility of devising any satisfactory rule from this source, the want of statistical data, and the complicated, confused, and unequal system of taxation, presenting insuperable obstacles. In the plan actually adopted, the number of representatives was in proportion to the population of the provinces, the whole number of the deputies being 188. The mode of election was indirect; for direct election was represented in the ministerial exposition as being almost impracticable in Spain, and, in point of fact, the Cortes of 1812 and 1820, which betrayed no lack of popular spirit, had been chosen by indirect election. In the chief town of each district into which a province was divided, an electoral *junta* was to be formed, consisting of all the members of the municipality, including the deputies and syndics, and an equal number of the citizens paying the largest amount of taxation. Each of these electoral *juntas* was to name two electors, to be taken from among the members of the municipality, or the inhabitants paying the highest amount of taxation who had voted in the formation of the *junta*, or generally from among those who might possess the qualifications required by law. These electors were to assemble in the capital of the province, and choose the procuradores to the Cortes. In the metropolitan province of Madrid, the district formed by the capital itself was to name twelve electors, each of the other seven districts naming only two. Thus in that popular province, the ultimate number of electors was only twenty six. A subsequent decree named those members of the house of

peers, who were to hold their seats only for life. The list contained the captains general, the members of the council of regency, about a dozen bishops and archbishops, and a number of other individuals, by far the greater number of whom were connected with the government by offices either civil or military. M. Burgos, whose growing unpopularity had compelled him to resign the ministry of the Interior immediately after the promulgation of the royal statute, and who had been succeeded by don Jose Maria Moscoso de Altamira, was placed among the members of the upper chamber; but among them was not to be found the name of M. Zea, the late minister. The Cortes thus constituted were convoked for the 24th of July, and the ordinance which assembled them, was accompanied by another decree of grace abolishing all the exceptions enumerated in the amnesty granted by Ferdinand in October 1832, so that every Spaniard might now return to his country to enjoy the security of her liberalized institutions.

As a further proof of its earnest desire to pursue a course of substantial improvement, the government followed up the restoration and reform of the Cortes by the appointment of an ecclesiastical commission, consisting of ten archbishops and bishops, and three members of the royal council, to review the ecclesiastical affairs of the kingdom. This commission was to inquire into the number of canons, prebendaries, or other clergymen or coadjutors, maintained out of its endowments, the services they performed, and the amount of their emoluments; to investigate the number, localities, and organization of the suffragan churches in the

different dioceses ; to ascertain the number and extent of parishes in the different dioceses, with the amount and sources of ecclesiastical emoluments in each parish ; and to examine into the nature, origin, present state, salaries and patronage of simple benefices, and of all other ecclesiastical offices or employments existing in the dioceses. On the statistical information thus collected, the commission was to propose a plan for a new ecclesiastical territorial division, with the number of clergymen and amount of income which might be deemed necessary. The principal rules for their guidance were, that abundant provision should be made for the spiritual wants and consolation of all Spaniards, by ministers of religion endowed with an ample and independent income ; that in the respective districts there should be resident prebendaries, and that the chapters should be rendered effectively the senates of the prelates, the reward of long pastoral labours, or of other services rendered to the church : That all simple benefices, not hereditary, should be suppressed, their revenues being applied to the salaries of curates and their coadjutors, and the building of churches ; that simple benefices and ecclesiastical prebendaries should not be allowed in any instance, to be held by the same person : That the chapters and other collegiate bodies should be so organized as to secure from the individuals composing them active and uninterrupted service to the faithful, without injuring the splendour and decorum of public worship : That in all the dioceses there should be established ecclesiastical seminaries for the proper education of intended churchmen : That care should be

taken to render the convents of monks what they were intended to have been, true asylums for real piety and religious contemplation ; and that the mendicant friars should be kept down to such a proportion with the real wants of the respective dioceses as might enable them to discharge the duties of assistants. By a decree of the same date with this commission the admission of novices into convents was for the present suspended, unless it were specially permitted by the government on the solicitation of the generals or prelates of the different orders.

The regulation of the public press, was another topic which pressed upon the government, and was surrounded with difficulties. On the one hand, they knew the inconveniences and the dangers of unlimited discussion at such a period ; on the other, any restrictions, by which they might fetter the liberty of publication, could not fail to be made matter of reproach against them, by all men who looked to them as the friends and apostles of freedom. One of the last acts of M. Zea's administration had been the framing of a decree dated 4th January, intended to carry into effect the promises of the regent's manifesto of October 1833, by which the press of Spain obtained a greater degree of indulgence, than it had enjoyed, under a regular government, at any past period of its history. Professing to avoid the two extremes of absolute liberty, on the one hand, which was considered to be inconsistent with the purity of the catholic religion, and of absolute prohibition on the other, which was condemned as interfering with the diffusion of knowledge and the general prosperity of

the state, this ordinance modified, but only modified, the repressive power of the latter, and gave the censorship a new organization to guard against the danger of the former. All publications, whether periodical or not, which treated exclusively of technical or scientific subjects, criticism, literature, or the arts, were exempted from the censorship; but it was rendered imperative on the author, whether of a book, or of an article in a review, to put his name to his production. All works treating of matters ecclesiastical, of morals, politics, or government, required before publication the imprimatur of the censor. Even that was not in all cases sufficient; for if they related to what were considered to be more particularly matters of state, such as negotiations, treaties of peace, captures, or the person or family of the sovereign, it was necessary that they should have the farther sanction of the secretary of state. Journals, properly so called, could not be published without a license from the minister of the Interior, and were made liable to instant suppression in the event of any violation of any condition which had been, or might be imposed upon them. A special commission was appointed, under the direction of the bench of bishops, to prepare an *Index Expurgatorius* of foreign books, but under this limitation, that no prohibition of a work by the ecclesiastical authorities, as being offensive to religion or morality, should be effectual, till it had received the royal sanction. Each censor was to act, in future, on his own individual responsibility, without consulting his colleagues; he was required, when he refused his sanction, to assign reasons for that refusal, and

furnish a copy of them to the author, who was likewise entitled to insist on free intercourse with him, by conference or otherwise. The copy-right of authors was secured to them during their lives, with a power of bequeathing it, for ten years, after their death: abridgements of the text were prohibited, as well as additions, notes, or commentaries. In return, the author was only required to furnish one copy of his work to the censorship, and another to the royal library. A power of appeal was given from the decisions of the censors, to a central commission of censorship, composed of three individuals, one of them an ecclesiastic; the minister of the Interior being the ultimate and supreme judge.

The ample powers, which this ordinance still left in the hands of government, were not allowed to lie unused by M. Zea's more liberal successors. During his administration, a journal called the "Star," had been the government paper—the organ through which the ministerial writers answered the daily argumentation of the liberals in favour of a representative system, maintaining that "an enlightened despotism" was as yet the fittest government for Spain, and the moral responsibility of the sovereign and his ministers, the only guarantees that were required. The new ministers, while deliberating on the constitution of the Cortes, suppressed a publication which said that they were unnecessary, and, probably, might be dangerous. A commercial paper, the property of the chamber of commerce of Madrid, which had escaped uninjured under Zea, notwithstanding its liberal opinions, now betrayed an inclination to become still more liberal,—to go far,

ther than the government intended, —and to indulge in remarks concerning the regent. It was not suppressed, for the influential body, to which it belonged, were not to be provoked by a confiscation of their property; but they had to dismiss their editor, and receive a successor, stamped with the seal of the home office. In the beginning of March, two newly established Madrid journals were suppressed, because they had spoken too freely on political subjects. In the case of one of them, it was esteemed a high aggravation, that it had announced the fact of the censor's interference by leaving blank several columns, which were to have been filled up with what the censor thought fit to suppress, headed only with the titles of the articles which had been destined for them. In the month of May, four other journals were put down, because, said the decree of suppression, they were propagating doctrines diametrically opposite to the conservative principles sanctioned by the royal statute. Ministers, while introducing popular changes, might very naturally deem themselves justifiable in preventing the spread of crude opinions and inflammatory diatribes, which at all times, and particularly in such seasons of political excitement, are so willingly taken up and so easily propagated, because they flatter men's vanity and love of power: but these proceedings were injurious to their popularity, for it was no less natural that liberal writers should be doubly dissatisfied when they found that the bonds against which they struggled were tied by liberal ministers and professed friends.

Nor were matters much mended, when the law of the new ministers themselves, regarding the public

journals, appeared on the 1st of June, in a royal ordinance intituled, "Regulations to be observed in the censorship of the Journals established under the royal decree of the 4th of January, 1834." That decree had provided, as has been already stated, that no journal, not exclusively confined to mere matters of science, art, or literature, should exist without the special license of the minister of the Interior. It was now enacted, that applications for this license should be made through the civil governors or prefects of the provinces, who were to report on the situation of the person requesting the license (and it was necessary he should have all the qualifications required in an elector of the electoral Junta), and on the propriety of granting it. The license, if granted at all, was to be granted only on the applicant depositing 20,000 reals (200*l.*) in money, or 40,000 in capital stock for Madrid, and 10,000 (100*l.*), or 20,000 in capital stock in the provinces, to be a fund liable for fines which might be incurred. These journals were to be subjected strictly to the censorship, four censors being appointed for Madrid, with salaries of 200*l.*, and one, with a salary of 120*l.*, in each of the cities of Barcelona, Cadiz, Corunna, Santiaya, Pampeluna, Granada, Malaga, Seville, Palma de Mallorca, and Valencia; and it was specially provided, that the censors should be persons whose political opinions should be in harmony with the conservative principles of the royal statute, a qualification which scarcely seemed to require a particular enactment, considering that these functionaries were to be named by the minister of the Interior, from a list of three proposed by the prefects. An at-

tempt was made in the decree to define the articles which the censors were not to allow to be inserted, but it necessarily involved too much discretion to attain any useful degree of precision. They were to exclude—1. Articles having a tendency to alter or destroy religion, or the respect due to the rights and prerogatives of the crown—the royal statute—and the other fundamental laws of the monarchy. 2. Articles calculated to excite rebellion, or to disturb the public tranquillity. 3. Articles inciting directly or indirectly, to the infringement of any law, or to the disobedience of any legitimate authority, by means of satires or invectives, even if the authority attacked, or the place of his residence, should be pointed out by allusion or allegory only, whenever the censors were of opinion that certain determinate persons or constituted authorities or corporations were referred to. 4. All licentious compositions, and such as were inconsistent with the public morals. 5. Injurious and defamatory libels on the private reputation and conduct of individuals, whether private, or in the service of the public, and although not pointed out by name, if suggested by anagrams, allegories, or in any other way whatever, as often as the censors were convinced that determinate persons were alluded to. 6. All articles injurious to foreign sovereigns or governments, or exciting their subjects to rebellion. The editor was bound to preserve the manuscript as altered and approved of by the censor, and to make it forthcoming whenever required for the purpose of comparison. The penalties were these: The printer of an article not perfectly conformable with the manuscript authen-

ticated by the signature of the censor, was to pay, for the first offence, a fine not less than 5*l.* nor higher than 30*l.*, at the discretion of the civil governor; for the second offence, the fine inflicted on account of the first, was to be doubled; for the third offence, the guilty party was to be banished to a distance of at least twenty leagues from the place where he had resided. For the first offence committed, by printing an article not approved of by the censor, the fine was 20*l.*; 40*l.* for the second; and for the third, the same sentence of banishment as in the preceding case. The penalty for selling a prohibited number, was 500 times the price of each copy sold;—so that the fine for selling a single copy of a journal published at threepence, would have been about six guineas. Even the leaving any mark, by which the hand of the censor might be traced, was made punishable. Editors, who, by publishing with blank spaces, or by means of points, lines, asterisks, or any similar contrivance, should indicate that matter intended to appear had been suppressed, were to be fined in sums of 20*l.* and 40*l.* for the first and second offences, and, for the third, the journal was to be suppressed. One clause of the law enacted “That articles published in other journals, whether in *Spain* or elsewhere, are to be again subject to censorship before being reprinted in other towns than that in which the license for publication was granted.” Thus, an article which the censorship had sanctioned at Madrid, could not be reprinted in the journals of Barcelona and Cadix, unless it likewise received the approval of the censors of those cities. The civil governors were vested with power to suspend, on their own

responsibility, the circulation of any number of a journal containing matter which he might think calculated to excite sedition or popular commotion, but under the obligation of immediately communicating the fact, along with two copies of the publication, to the minister of the Interior. All the journals already in existence at the date of the law (and numerous were those which had sprung up between the accession of the present cabinet and that date) were subjected to all its provisions, and of this, in truth, the journalists had been warned, by the decree of the 4th of January; but they were allowed two months to provide the security which was now demanded of them.

This was a law which certainly could lay no claim to greater liberality of spirit than its predecessor of which it was only the supplement, nor is it probable that M. Zea himself would have carried the general principles of his decree into execution by more stern, repressive, and minute regulations. It excited much discontent against the ministry, not only among the journalists and writers for the journals, and the *exaltados*, or radicals who had no inclination to rest satisfied with the representative system of the royal statute, but likewise among the more moderate men of liberal politics. In itself, said its opponents, it was an encroachment on the rights of the Cortes, to whose deliberations alone should have been left the decision of a matter at once so arduous and of such immeasurable importance to the state. It was in vain to expect free and impartial discussion of matters affecting most deeply and directly the welfare of society, where so despotic a decree made

its exercise productive of so many dangers to property and person. In some countries anticipatory caution had been required, but it had been so as a substitute for the censorship, not as an additional restraint. Nothing, forsooth, was to be allowed to be printed inconsistent with the principles of the royal statute; but whence came the infallibility of the framers of that statute, to invest it with the privileges of inspiration, an emanation of unerring wisdom and unbounded beneficence, not to be made the subject of rational inquiry? It was a principle of that constitution, that no matter could be discussed in the Cortes unless formally laid before it by the crown—that by the crown should be fixed the internal regulations of the chambers—that the election of the deputies should be indirect—that the taxes might be voted for two years at a time; were these regulations of such indubitable and essential utility that no man should be allowed even to question them—that the very discussion of their nature and probable results should be restrained as something inconsistent with the orderly and peaceful existence of society. Nay, this law itself set the royal statute at nought. The latter enacted as a fundamental principle of the new constitution, the unrestrained publicity of the discussions of the Cortes; but this publicity would be confined to the walls of the chambers. Conversation might farther extend it through certain circles in Madrid; but to all the rest of the kingdom this publicity of legislative deliberations would be reduced to the publication of that only which favoured the wishes and the policy of the government. It was fortunate, however, for the ministers, that

the law, which was the cause of these complaints, prevented their circulation. By another decree they mitigated the penalties against secret associations, but retained the prohibition against them. An amnesty was granted up to the date of the decree ; but all persons, who should become members of secret societies in future, were to be liable to banishment to any place which the government might select, for not more than six years, nor less than two. The heads of such associations were to be punished with imprisonment for a like period. All persons attending the meetings of these societies contributing to their funds, or in any other way giving them countenance and assistance, were to be deprived of any public office they might hold, and be excluded from public employment in future.

In preparing to meet the Cortes, the government enjoyed the advantage of having succeeded in compelling the Queen's competitor for the crown to quit the Peninsula ; although, before the Cortes did meet, it turned out that they were unable to prevent him from returning to it. While the partisans of Don Carlos were maintaining his cause in the north, he himself had been compelled to retire into Portugal, where Don Miguel now stood in the same relation to the throne of Portugal, in which Don Carlos stood to that of Spain. In each of the kingdoms there was an infant queen, supporting her cause by favouring popular privileges, with an uncle for her rival, as a representative of more despotic principles of government. The cause of the Portuguese prince himself was ebbing too fast, to leave it in his power to furnish any assistance to the fugitive from

Spain. The cause of the two queens seemed to be the same : a community of interest required that they should direct their common efforts against the two pretenders. The courts, too, of Britain and France were labouring to effect this object by an alliance to which they were ready to become parties. As a preliminary step, the title of Donna Maria of Portugal was formally recognized by the regency of Spain, in the beginning of April ; and shortly afterwards a treaty was concluded between France, Great Britain, Portugal, and Spain, by which these powers guaranteed the title of the two queens against their competitors, and measures were to be adopted for the purpose of depriving the latter of the means of giving further annoyance. Before the treaty was finally ratified, the object had been gained. The recognition of Donna Maria by Spain proceeded upon an agreement that the two powers should employ their arms jointly against the two pretenders. Don Miguel still maintained a position on the Tagus, between Santarem and Abrantes : some fortified places continued to be held in his name, and several divisions of troops to adhere to his standard : but he had no hope without a general insurrection, of which there was no prospect, of his being able longer to resist the operations of the duke of Terceira at the head of the royal army, particularly when he should be shut in between the duke's army on the one side, and that of Spain on the other. Don Carlos was hanging on the frontiers of Estramadura. He was unprovided with any military force sufficient for a serious invasion, and he had no assistance to expect from the Portuguese pre-

tender; but he formed a nucleus round which malcontents might gradually collect themselves; and his presence on the frontier in a threatening attitude gave encouragement to his partisans who were fighting in the north, while the necessity of watching his movements divided the attention and the force of the government. In fulfilment, therefore, of the arrangement that the military movements of Spain and Portugal should be directed both against Don Miguel and Don Carlos, general Rodil, about the middle of April, crossed the Portuguese frontier with a formidable body of troops. He encountered no opposition, for Don Carlos and his adherents could only retire before him, falling back on the position of Don Miguel on the Tagus. On the 16th of April, Rodil's head quarters were at Guarda; by a forced march from Guarda he reached Sardoza, before the rear-guard of Don Carlos and the baggage of his family and himself had quitted it. The men fled before the unexpected attack, and all the baggage fell into the hands of Rodil, who boasted, in his dispatches to government, that "he might venture to say, that neither Don Carlos, nor his wife, family, nor attendants, have been able to save "a single change of linen." It was of more importance that Don Carlos had not been able to save a single regiment. He proceeded to Santarem with his family and a small number of attendants, who still adhered to him; but he could receive no assistance from Don Miguel. With the duke of Terceira in front, and Rodil behind, and both of them supported by Britain and France, the two princes could do nothing more than secure, by negotiation, their personal safe-

ty. They were in the power of their enemies, without the means of resisting any conditions which might be imposed. For an annual pension, Don Miguel, agreed to quit, and never return to, the Peninsula, nor attempt to disturb the tranquillity of either of its kingdoms. Spain was willing to bestow a similar pension on Don Carlos, and had resolved to make similar obligations on his part the price of his personal liberty. But Don Carlos had placed himself in the power of the Portuguese commander instead of the Spanish, and Spain complained that the Portuguese government having gained, through the advance of the Spanish army, its own objects in regard to Don Miguel, was conniving at the escape of Don Carlos without conditions, in violation of the mutual agreement on which the operations had been conducted. Don Carlos was at Evora, under the control of the duke of Terceira. Rodil, by direction of his government, applied to him not to permit, on any account, the departure of the prince, his family, or followers. The Portuguese commander shewing no disposition to interfere, the Spanish Cabinet addressed itself to that of Lisbon, insisting that Don Carlos, actually a fugitive from Spain, without troops or places of strength, was in an infinitely more unfavourable situation than Don Miguel, who, when he accepted the proffered terms, could boast of possessing both fortresses and an army, in a country over which he had been king *de facto* for years, while the other had at no time been more than an unsuccessful pretender; that therefore Don Carlos should not be set at liberty, unless he undertook the same engagements which had been imposed

on Don Miguel; and that the place, which he might choose for his residence, should be dependent on the consent of the queen of Spain, as well as of the other three parties to the treaty. M. Sarmiento, the Portuguese plenipotentiary at Madrid, stated to the Spanish minister, on the 29th of May, that "it is the opinion of her most faithful majesty's ministers, that neither the Spanish pretender nor the Portuguese usurper should be set at liberty, even though they were to remove to a distance from the Peninsula, without the consent of each of the respective governments." It would appear, however, that at the very time when the note containing this assurance was presented, Portugal was disappointing it, or conniving at being placed in a situation where she could not fulfil it. Don Carlos had made an arrangement with the British secretary of legation at Lisbon, to be received on board a British ship of war—an arrangement which could not be made without the knowledge of Portugal—or executed without its consent. When Rodil, disappointed in his application to the duke of Terceira, renewed it, along with the Spanish consul, on the 30th of May, to the Portuguese foreign minister, the latter refused to comply, or even to detain Don Carlos for a few days, to allow time for communicating with the Spanish government. He excused himself by stating, that he did not conceive either the consul, or the officer whom general Rodil had dispatched to Lisbon on this mission, to be sufficiently authorized by their government, and by referring to the agreement which Don Carlos had made with the British secretary of legation. The same application was then made to

the British ambassador. His excellency likewise doubted the authority of the applicants; but stated that, at all events, Don Carlos was at present in the custody of the Portuguese, although, if he should betake himself on board a British ship, he certainly would not be given up. The Spanish officer learning that in truth every thing had been arranged for the immediate departure of the prince, proceeded to Aldes Gallega, the intended place of embarkation, where he arrived just in time to see Don Carlos, with his family and suite, received, on the 31st of May, on board the *Donegal* man of war, which immediately sailed for England.*

Spain does seem to have had some reason to complain of want of fairness in the powers who on this occasion played the part of peace-officers, and the consequences which followed were not of a kind to soothe her displeasure. Don Carlos had submitted to no conditions; he had come under no engagements; his rights, whatever they might be, remained precisely what they had been at the moment of his brother's death; there was no ground on which his armies in the north of Spain could be deprived of the benefit of his name and authority, or a civil war for a contested title be converted into pure rebellion against a sovereign recognized even by the prince whose rights were made the pretext for maintaining it. The *Donegal* arrived at Spithead on the 13th of June, and there seemed at first to be some difficulty as to the treatment which the prince and his suite should receive. He was

* General Rodil's dispatches.

immediately visited by a special agent of the British government, sent for the purpose of now persuading Don Carlos to accede to the conditions required by the Spanish cabinet, viz. never to return to the Peninsula to disturb the tranquillity of the kingdom by his unfounded pretensions, and to fix his future residence in some country where it would occasion no uneasiness to the Spanish government.* Don Carlos, however, steadily refused to bind himself by any engagements; as he had been received under the flag of Britain free from all conditions, the honour of that flag did not allow them to be imposed. The prince, with his family and suite, were permitted to land; and he took up his residence in the neighbourhood of London. But he did not long remain idle. His partisans were still in arms in Biscay and Navarre, as far from being suppressed as they had been at the commencement of the year. They were urgent that he should give the cause the benefit of his personal presence. The meeting of the Cortes, too, was approaching; and it was deemed of importance that he should himself be on the scene at a time when the convocation of that body would be letting loose so many discordant political feelings. Don Carlos, in spite of the remonstrances of the bishop of Leon, who had accompanied him to England, and implored him not to risk his sacred person, resolved to join his adherents in the north of Spain, and he executed his design with such celerity and secrecy, that he evaded the eyes even of the French police, and had actually arrived in

Navarre, before it began to be suspected that he was no longer in London. Accompanied by a single companion, he quitted London on the 1st of July, taking the high road to Spain through France. On the 4th of July he arrived in Paris, and went to the theatre; and on the following day he left it; his companion remaining behind to pester the government with demands connected with other matters, that the arrival of the travelling party might seem to have no object beyond the French capital. He passed equally unsuspected through Bordeaux and Bayonne; crossed the Spanish frontier on the 9th of July, and on the following day arrived at the head quarters of the Carlist army. He would have found it almost impracticable to have re-entered Spain, if he had not been driven from Portugal into a British man of war; and now when he again arrived in Spain, he found at the head of the royal army opposed to him the same commander, general Rodil, who had been the instrument of his expulsion from Portugal.

Before the Cortes assembled on the 24th July, their convocation had been rendered problematical by the prevalence of epidemic disease in the capital, and the disturbances to which it gave rise. The malady, which, under the name of the cholera morbus, had been making the tour of Europe during the three preceding years, now appeared at Spain. In the month of June it had shewn itself in the province of Toledo, and had advanced within fourteen leagues of Madrid. Many families hastened from the city towards the north: the court, instead of attempting to calm the public consternation, augmented the alarm by being

* Statement made to the Cortes by the minister for foreign affairs, Aug. 7.

among the first to flee from the presence of the approaching destroyer. A board of health having been established, and active measures ordered for cleansing the capital, the queen, accompanied by some of the cabinet ministers, took her departure, with her family, for St. Ildefonso, which was strictly guarded by sanitary cordons of troops. Even the foreign ministers who followed her, and the members of their families, were made to perform quarantine in the neighbouring villages. The disease—of which, however, the medical men of the court maintained that it was merely a more intense degree than usual of the ordinary ailments of the season, and was perfectly distinct from the Oriental pestilence—manifested itself in the capital about the middle of July. On the 14th of that month there were 18 deaths; on the 15th, 38; on the 16th, 140; on the 17th, 270; on the 18th, upwards of 300, after which the mortality diminished. Popular alarm, ignorance and prejudice, produced at Madrid the same popular excesses, which, under the same visitation, they had stirred up in other European cities: but in Madrid they were said to have been made the instruments of political party spirit. On the one hand, the Carlists were accused of having poisoned the waters of the public fountains, in order to impede the assembling of the Cortes, by aggravating the prevailing panic. On the other hand this story of the poisoning was alleged to be not only most certainly an invention, but a wilful invention of the Exaltados, who, fearing that the Cortes might not go radically enough to work in dealing with the church, had resolved to use the mob, the Urban militia, and even the regular troops, as instru-

ments for exposing the monks to odium, and exciting against them the vengeance of the populace. The latter seemed to be the more probable explanation; for the monks were the sufferers. On the 17th of July, a Franciscan friar happening to be standing near one of the public fountains with a paper in his hand, which turned out to be merely a cigar paper, the bystanders accused him of having been throwing poison into the fountain. His denials and explanations were not deemed satisfactory, and he was stabbed to death upon the spot. The perpetration of this murder spread among the people as evidence of the guilt of the victim, and of the class to which he belonged; and, in the space of an hour, three other friars had been put to death in the streets as public poisoners, one of them under the very windows of the cavalry barracks. The mob then resolved on more wholesale slaughter. They proceeded to the Jesuit convent of San Isidro, the patron saint of Madrid. Having demanded admittance, the monk, who opened the door, was instantly put to death; the populace rushed in, and twenty friars were massacred in their cells. The neighbouring convent of St. Thomas was next attacked. The loss of life among the Franciscans of that convent was still greater than it had been among the Jesuits of San Isidro, and some soldiers of the line were said to have been more active in the slaughter than either the rabble or the Urban militia. While these atrocities were in the act of being committed within the convent, three of the regular priesthood, one of them bearing a lantern with the host, and all of them dressed in full canonicals, made their way through the crowd in front of the building, receiving,

as they passed, the customary prostrations and other marks of respect, thus shewing the different feelings with which the monks and the parochial clergy were regarded. A number of the other convents were afterwards visited, but the doors of all of them having been instantly thrown open, the mob contented themselves with plunder. On the 18th, this work of devastation was renewed, particularly at the great convent in the Calle de Atocha; but either because the ringleaders were sated with spoil, or because the military authorities interfered more zealously than on the preceding day, the proceedings were conducted with much more moderation, and without further bloodshed. The civil governor of Madrid issued a proclamation, in which, while he called on the inhabitants to assist in preserving the public peace, he actually gave countenance to the outrages of the mob, by assuming the truth of the story of the fountains having been poisoned, and pledging himself to bring to condign punishment those who had been accessory to the injury of the public health. On the following day, the minister of the interior, on the other hand, issued a proclamation strongly denouncing the belief, real or pretended, in this imaginary crime; and the government itself seized the opportunity to promulgate an ordinance definitively and formally abolishing the Inquisition, and applying its revenues to the purposes of the state. San Martin, the captain general of New Castille, and Falces, Corregidor of Madrid, were severely blamed both by the public and by the government for the remissness, some said the connivance, which they had shewn, while these massacres were going on. They

resigned, and a prosecution was ordered to be instituted against San Martin, who was stated to have demanded an investigation into his conduct. The Jesuits were said to have foreseen and given warning of the meditated attack on the religious bodies.

The elections of the Procuradores to the Cortes had disappointed, in some instances, the expectations of the government by the election of candidates, on whose support it could not reckon. The ministers were unable to carry their own candidate in Madrid. The editor of a suppressed journal was returned by more places than one, although it was notorious that he did not possess the necessary qualification. Romero Alpuente, a name well known in the former popular commotions in Spain, likewise obtained a seat, and immediately put himself forward as the leader of the Exaltado party. At a preliminary meeting of the deputies, a question was started, not about the mode of voting, for the code of regulations promulgated by the crown had provided that the members should vote *viva voce*, instead of by ballot as in France, but about the way in which the *viva voce* vote should be given, a point on which the royal regulations said nothing. Count Toreno, a popular and influential nobleman whom the government, to strengthen itself in the Cortes had named minister of finance in the place of Imaz, maintained that the members ought to give their votes at the table, where the secretaries would take them down, and the president declare the result. Alpuente contended that this manner of voting was devoid of publicity, and shewed nothing of the spirit of freedom or responsibility to the

people. The vote should be given by the member from his place, at the top of his voice, as if he wished it to be heard and judged of in the farthest corner of Spain, not whispered at a lattice where it might reach the ears of only the functionaries of the chamber. The dispute was at last settled by arranging that it should be left to each member to vote in either of the two ways he might prefer. Alpuente did not long retain his seat; for on verifying the powers of the deputies, the chamber decided that he had not produced sufficient evidence of possessing the pecuniary qualification of 120*l.* a-year required by the royal statute. He was speedily involved in a more

serious affair. On the very eve of the meeting of the Cortes, a radical conspiracy was detected, which had for its object to seize the queen regent, who had returned to Madrid to open the session in person, and proclaim the constitution of Cadiz. The discovery of this mad plot led to the apprehension of Alpuente, and of general Van Halen, an amateur conspirator, who had rendered himself conspicuous in the troubles of Belgium. Old Palafox, too, who, a few days before, had been named a grandee of Spain by the title of duke of Zaragoza, was arrested. Some privates of the Urban militia of Madrid were capitally punished for this conspiracy.

CHAP. XIII.

SPAIN continued.—*Opening of the Cortes—Speech of the Queen Regent—Debates on the Address—Motion to insist on the liberty of the Press lost—Bill of Rights presented to the deputies—Debates upon it—Declaration for the liberty of the Press without a censorship carried—Declaration of rights finally voted by the deputies—Financial state of Spain—Bill presented by Government to recognize and provide for the Foreign loans—Reports of the Finance Committee—Debates on the recognition of the loans contracted by Ferdinand—The deputies refuse to recognize the Guebhard loan—Discontent of the Cortes bond-holders—The Peers amend the Bill by recognizing the Guebhard loan and providing for payment of interest on arrears—The Committee of the deputies reports against these amendments but the chamber adopts them—Bill of Exclusion against Don Carlos and his descendants—Military operations in Navarre and Biscay.*

ON the 24th of July, the Queen Regent, with great pomp, opened the Session of the Cortes. She addressed them in the following speech:—

“Illustrious Proceres and Procuradores of the kingdom:—On finding myself this day in the midst of you, about to take, as Queen Regent, the oath provided by the fundamental laws of the monarchy, the first want of my heart is to make known to you the sentiments which animate it, and the thanks which I have to give to Divine Providence for having granted my wishes.

“Closely to unite the throne of my august daughter with the rights of the nation, giving to both, as a common foundation, the ancient institutions of these kingdoms, which have elevated to so high a point their prosperity and

glory, is the noble object which I have proposed to myself, and of which I cannot offer a more solemn testimony than this general and public convocation.

“Notwithstanding the satisfaction which I experience therefrom, it is painful to me to reflect that this act should be accomplished in the midst of the calamity which now afflicts several provinces, and which has extended its ravages even to this capital. This sentiment is rendered, if possible, more painful by the fact that wicked and evil-disposed persons, availing themselves of the terror occasioned by the appearance of this scourge, which has caused such lamentable devastation in other countries, have committed crimes and disorders unworthy of the noble and gallant character of Spaniards, crimes which cannot be mention-

ed without the deepest indignation. The laws will chastise those offences; but if you consider that your co-operation should be necessary to prevent the repetition of these disgraceful scenes under any pretext whatever, I will claim it with confidence, inasmuch as the object is to defend the very basis of society by the maintenance of public order, and the protection of life and property.

"It also occasions me much grief that the first important subject which will present itself for your consideration is the conduct of an ill-advised Prince, who, even during the life of his King, of his brother, endeavoured to promote his own ambitious designs, and who, since the death of my august husband, has attempted, by means of a civil war, to wrest the sceptre from its lawful heir.

"The immemorial custom, and the ancient and fundamental laws of the monarchy—the practice observed in similar cases—impartiality—justice, all impose upon me the duty of submitting to your deliberation a subject of such high importance. But even were I not under such a sacred obligation as guardian of the rights of my august daughter, I could not and ought not to forget that the present tranquillity and the future fate of these kingdoms depend upon your decision; it will be worthy of you, and the nation awaits it with calmness.

"That Prince, not content with exciting rebellion in this kingdom, lighted the flame of civil war from a neighbouring state, and threatened to cross our frontier in arms. Under these circumstances, the duty of self-defence dictated those energetic measures which justice, policy, and national honour equal-

ly demanded. The Spanish troops penetrated into Portugal, not for the purpose of attacking foreign independence, but to defend our own rights, and in a few days put an end to the contest—and the two Princes who, by their presence, troubled the Peninsula, were driven from its territory—a very recent lesson and chastisement by which the issue of every similar foolish undertaking is announced.

"At the same time that the question of Portugal was settled, the solemn treaty, which had for its object a most important end, not only for the tranquillity of the two kingdoms, but also the peace and repose of Europe, was ratified in London. It is gratifying to me to manifest by this proof the amicable dispositions of which my august allies the King of the French and the King of Great Britain and Ireland have given me so many repeated testimonies, as well as the harmony which happily exists between the Government of her most faithful Majesty Donna Maria II. and that of my august daughter. So numerous and so united are the links which connect the two kingdoms, that it may be said that each takes care of its own cause while assisting in the common defence.

"Other powers than those above-named have explicitly renewed their political relations with the Spanish Government since the accession of my august daughter to the throne; and for my part I have recognised some new states, either in conformity to a wise policy, or for the purpose of occasioning no interruption or prejudice to the navigation and commerce of the natives of these kingdoms.

"It were to be wished that every other Government had answered in like manner to the amicable disposition of the Spanish Cabinet; but, although none of them have manifested any intention or desire of interfering in our domestic concerns, some have delayed, to this moment, the recognition of my daughter as Queen of Spain. The laws of the monarchy have raised her to the throne—the will of the nation sustains her—reason and time will render due homage to the conservative principle of legitimacy.

"The picture presented by the interior of the kingdom is far from being as flattering as your patriotism would desire; but, notwithstanding the obstacles which have been raised by the revolt of some provinces and the inquietude of others, the wants of the treasury, and the pestilence which ravages a great part of the country, it has been possible to mitigate the unavoidable evils of so critical a position—to make also salutary reforms—to realize in a short time the meeting of the Cortes—to subdue on all sides the rebel bands—to augment the force of the army—to increase the character of our arms in a neighbouring kingdom, and to obtain all these happy results, so important and so urgent, the decision and enthusiasm of the nation have rendered the exaction of heavy sacrifices unnecessary.

"The fidelity of the army—its constancy and its courage, which give it so great a claim to my especial gratitude—requires from you every assistance to enable me to perfect this important branch of the public service, conciliating the well-being of these gallant defenders of the throne and of the country with the exigencies of the

nation, and the other demands on the treasury.

"To this end will be laid before you the different obligations which the Government has to fulfil, as well as the resources on which it calculates, and the extraordinary means of credit to which it must necessarily resort upon this occasion, whether on account of anterior loss or defalcation—whether on account of actual circumstances—or, in fine, to avoid any present augmentation of the burdens of the people. But it is dangerous in itself, and eventually would become impossible, frequently to adopt extraordinary means. Better order in the administration, a prudent and severe economy, publicity, the intervention of the Cortes in the estimates of expenditure, and in the imposition of contributions, will conduct us in a short time to the desired term of equalizing the ordinary resources of the nation with its necessities. This hope is the better founded, as it will be sustained by an arrangement of the whole foreign debt compatible with our actual means, supported by frankness and good faith, which are the principles of my government, as well as by an amelioration of the interior debt, and its progressive extinction, facilitated by the resources which will be applied to it with a prudent reserve, and after a profound examination.

"My secretaries of state will acquaint you with various reforms which have been made in several branches of the administration. The division of the territory—the separation and demarcation between the administrative and judicial departments—the suppression of the ancient councils, and the new Audiencias, created for

the benefit of certain provinces—the numerous embarrassments which have prevented the development of the public wealth—the relief granted to the people from many onerous exactions, and other measures which are now in preparation, will testify my solicitude, and already offer to the nation the most flattering anticipations. It cannot be concealed from your circumspection and prudence, that it is not possible to remedy in a few months the accumulated evils of many ages, and that more than once the very eagerness of man to supply what ought to be the work of time has led to a bad issue, and compromised the welfare of nations.

“The royal statute has laid the foundation—it belongs to you, illustrious peers and señors deputies, to concur in raising the edifice with that regularity and order, which are the only guarantee of stability and firmness.

“For what regards myself, you will always find me disposed to everything that can redound to the interest and honour of Spain. Even during the few days which I exercised temporarily the supreme power by the desire of my august husband, I manifested what were my intentions and designs—to cancel by oblivion the vestiges of past evils—to plan in existing circumstances all possible reforms, and to prepare, with consideration, other improvements for the future. Whatever be the obstacles I may meet in a path so difficult, I hope to overcome them by the favour of Heaven, aided by your efforts, and supported by the nation; to regard whose happiness and whose glory as my own it is sufficient for me to remember that I am the mother of Isabella II.,

and the grand-daughter of Charles III.”

Each chamber named a committee to prepare the draught of an address in answer to the speech. The address, reported to the peers, and adopted by them, was an echo of the speech; and M. Burgos, the late minister of the interior, frankly maintained, that to prepare such an echo was the sole duty of the committee. The committee of the chamber of Deputies acted on a very different principle, and introduced into their proposed address matter which could not be palatable to the government. They ascribed the outrages of the 17th of July to “a lamentable want of foresight,” and the prolongation of civil war in the North to a system of lenity and impunity which had been carried too far, and tried too long. They heaped eulogiums on the Urban militia, of which the speech had said nothing. The regent had only announced the internal state of the kingdom to be less flattering than the patriotism of the deputies would desire; the address added, “It is far more deplorable than your majesty can suppose. Many years of an arbitrary system of absurd legislation, of a blind administration, and of a formidable re-action against principles which are acknowledged as axioms in every social organisation, have progressively sunk us to a marked state of degradation and misery. Agriculture is in the lowest state of depression, because the exorbitant nature of the taxes, the violent mode of exacting them, the low price of produce (owing to other errors which it would be out of place to explain here), the difficulty of communication, and various other causes, have rendered

unavailing the calculations and the labours of the unfortunate cultivator. Commerce, surrounded on all sides by obstacles, is paralyzed in its movements, as well through the influence of that first evil as through others which have operated to its prejudice. The arts and industry, in all their branches, have, by an inevitable consequence, shared the vicissitudes produced by the disasters of the period." To remedy these evils "all social rights must be equally protected. The liberty of the press, that centinel and advanced post of all other guarantees, ought to be freed from the restrictions which amongst us have hitherto reduced it to a nullity. Wise laws can prevent abuses, and chastise them when they take effect, so as to deter from their repetition ; but never is it just or prudent to sacrifice positive advantages to the apprehension of a danger, perhaps imaginary ; nor can the liberty of propagating thought by means of the press ever exist, when a previous censorship or arbitrary authority represses it. Equality of rights before the law, and civil liberty, must be consecrated to the full extent which wisdom and justice demand, and personal security be protected against the attacks and abuses of power. Adding to these principles the independence of the judicial power in all its branches ; the responsibility of the ministerial authority for its administrative acts ; the establishment, at a fit opportunity, of the trial by jury, the essential safeguard of innocence,—and having reduced all these maxims to an elemental code, which may form the table of our political rights and obligations, and the bond of intimate union between the throne and the people

(to whose support let the ablest men in all branches be called), this estate will then venture to promise that the condition of the nation will speedily be altered, and that the people, blessing the name of your majesty, will acknowledge the difference between an absolute government, which treads everything under foot, and a paternal system, which only makes use of authority to promote the general welfare?" In regard to the financial difficulties of the state and the public debt, the address bound the chamber to nothing except the enforcing of strict economy, and the alleviating the lot of the people, hitherto oppressed by the weight of intolerable burdens. It was remarkable that neither the speech nor the address contained the slightest allusion to the former American dominions of Spain. The same defect was observable in an exposition of the foreign policy of Spain, which Martinez de la Rosa addressed to the Cortes a few days afterwards, and in which he had occasion to speak of the recognition by Spain of the empire of Brazil as an independent state.

The mode of discussion followed for the Cortes was similar to that which had been adopted in the chambers of France, viz.—first, a general discussion of any proposed measure as a whole, equivalent to our discussion of the principle of a bill on the second reading, and then a discussion of its several clauses *seriatim*, corresponding to the bill being in committee with us. The general debate on the proposed address occupied the deputies during the 3rd and 4th of August. Ministers and their adherents strongly resisted it. M. Medrano, the vice-president of the chamber, declared that not one

[2 D 2]

paragraph it contained expressed the real sentiments of the assembly, and moved, that it should be rejected *in toto*. M. Martinez de la Rosa and count Torreno attacked with great vehemence both its general tendency and many of its particular parts: they spoke with indignation against the coldness of the paragraph relative to the outrages of the 17th of July, and against the epithet "absurd" applied to the whole antecedent legislation of Spain. They maintained that the state of the nation was by no means so disastrous as it had been represented by the committee, and that, without intending to justify the late government, it was impossible not to admit that, towards its close, many useful things were done, of which the country was gathering the fruits. They insisted on the dangers which would arise from an immediate unlimited freedom of the press, as demanded by the address of the committee, and also combatted, as ill-timed, the greater part of the other innovations proposed by the committee, and particularly the introduction of trial by jury. It was to be kept in mind, said a Señor Santa Fè, that any arrangement, proposed to be introduced by a law ought to be just and desirable in itself: it was necessary that it should be suitable to the people for whom it was made, and that the people should be prepared for it. Spain was not prepared for such sudden and momentous alterations. There was a party, and a considerable one, utterly hostile to the liberty of printing without the previous inspection of the censor; and why call at once for the institution of juries, after seeing the contradictory results which it had produced in England, France, and the United

States, those models of the representative system? The defence of the proposed address was conducted by Diez Gonzales, a priest of the diocese of Leon, M. Avargues, and M. Lopez, all of them members of the committee by which it had been prepared. The committee, they said, had paid more attention to things than to words, and had framed the address in the manner which seemed best calculated to encourage the public mind; for the people would thus see that their representatives, instead of wasting time in vague discussions, had frankly set forth the sufferings and the necessities of the country. It was impossible to see how Spain could be less prepared for the liberty of the press now than she had been twenty years ago; yet in the Cortes, held in the Isle of Leon, in 1812, not only had the necessity of establishing that liberty been zealously maintained, but Martinez de la Rosa and count Torreno had then figured among its most vigorous supporters.

The chamber resolved to receive the proposed address as a whole by 49 votes to 35, so that not one-half of the members of the chamber were present, or voted. This vote, however, only decided that the address should be taken into consideration: all the objectionable paragraphs might still be modified or rejected. The discussion of the different clauses occupied the 5th and 6th of August. The committee so far yielded one point as to substitute "absurd administration" for "absurd legislation," as the cause of the state to which the country had been reduced. But neither did this phraseology meet the views of the minister, whose objection was, that the chamber would be in error in ascribing the

present state of the country to any one particular cause whether of absurd legislation or absurd administration. The present ministers, who had reformed and were reforming the administration, were not the men to maintain that it had been good; but they might insist that the decline of Spain was not solely owing to its errors. The evils which afflicted Spain flowed from a thousand causes—from an erroneous policy, followed up for nearly a century—a policy which omitted to secure the glory and independence she deserved, by profiting of the advantages the magnificent situation of Spain presented, while it allowed her to be towed after the policy of France. The evils of Spain also proceeded from the substitution of absurd laws for others which were excellent. Were the deputies not aware that from the last edition of the *Novísima Recopilacion*, two laws the most calculated to promote the happiness of the nation had been erased?—the laws which related to the illegality of imposing taxes without the intervention of the Cortes, and to the necessity of calling that body together in difficult and serious emergencies. These two laws would be found in the *Nueva Recopilacion*, but they were omitted in the *Novísima*. The term adopted by the committee was not very exact, though their idea might be perfectly correct: and he therefore opposed it, deeming it unwise in the legislative body to adopt objectionable phrases. The difficulty was at last got over by count Torreno proposing to substitute for “absurd legislation” or “absurd administration,” the words “neglect of ancient institutions,” to which all parties agreed as embracing everything.

The paragraph, which called for the liberty of the press, and the abolition of the censorship, was debated still more keenly. De la Rosa contended that, whatever the chamber might think of the importance of this question, it was one of the most delicate that could come before them; since, whatever might be the advantages of the absolute liberty of the press, it was the last of the rights which a nation could acquire, after her institutions had attained the necessary degree of perfection. Without attempting to decide whether the nation had reached a sufficient degree of maturity, or to determine the degree of liberty which might be fit to be introduced, he should merely say, that it was not necessary to enter on the question, until the government should exercise its initiative on the subject, or the deputies should think fit to exercise their right of petitioning that it be conceded. At present, more latitude than ever had been given to the press. A further extent ought not to be asked, unless it could be shown that there existed impediments to the exposition of administrative plans and political ideas. When had works of utility been presented, of which the Government had disapproved? The nation had already been the victim of this very liberty of the press, the unbridled state of which in France was causing incalculable evils to true liberty all over Europe. Spain was as yet too far behind in political education to receive this last of institutions. He thought, therefore, that the Procuradores could not venture to declare that the nation was now in a fit state for it, seeing that, though during the present ministry the greatest latitude had been allowed to the public journals, yet

those who discussed political questions always controverted the principles and censured the acts of authority. It was improper in the committee to have brought forward the question. The subject ought not to have been touched upon until it had been duly and maturely studied. On the other hand it was answered, that the committee had departed in nothing from the provisions of the royal statute regarding the initiative of the crown in proposing new laws; they had only given effect to these provisions by proposing that the chamber should manifest its wishes, in relation to this great political right; and it would be wise to anticipate, in some measure, the subject, in order that it might afterwards be considered with the deliberation which its importance required. The address did not call on ministers to propose a law for the liberty of the press; it merely expressed an opinion. The abuses of the press proved nothing; the members of that chamber might abuse their liberty of speech; a man might abuse his right of going about the streets to transact his lawful business. There could be no better time for establishing the liberty of the press, than when a nation "was constituting itself." The Queen in her speech had told them that, by the royal statute, she had laid the foundation of their institutions, and she had called upon them to raise the edifice. It was proper, then, that they should give her Majesty a specimen of the building materials which they thought necessary for the solidity and harmony of the structure. If the present was an inconvenient time for speaking of the liberty of the press, or declaring what the deputies wished, then it was an incon-

venient time for assembling the Cortes. Spain was said not to be sufficiently advanced for the liberty of the press: but when was the time to arrive when she would be fit for it? According to the argument—never; for as it was contended that it produced so much mischief in France and in England, of course it ought not to exist even in those countries, and Spain, could scarcely expect to outstrip them. By far the best speech against the proposition, and not the longest, was that of a Senior Vasquez, who said, "That while so much desire was evinced for the liberty of the press, it would be well to think of teaching the people to read. He could testify that, in the provinces he represented, there were places, the Alcaldes of which could neither read nor write, and who got the priests to read the official bulletin to them in order to know whether it contained anything which they must attend to. Our business, Señores, I think, is to look after the taxes, to establish schools, to bestow on the people practical, and not chimerical benefits. What is the use of the liberty of the press to those who cannot read?"

The paragraph, by a majority of forty-four to thirty-six, was remitted back to the committee for re-consideration. They reproduced it in a modified shape, but still containing the same opinion. Ministers however, succeeded in getting it altered so as to meet their own views, and save the censorship. The clause relating to trial by jury likewise produced a long and animated discussion. The prime minister and Count Torreno opposed it vehemently, and contended that the present was by no means a fit time to think of the estab-

lishment of such a system. It was finally proposed that the paragraph should be referred back to the committee; but this proposition was negatived and the clause was agreed to with considerable modifications.

These topics, however, and many others, were speedily again pressed upon the Government. Although the royal statute deprived the Cortes of all power to propose a formal enactment in their legislative capacity, it entitled them to present a petition to the crown praying that any particular bill might be introduced,—provided only that such petition had received the signature of twelve members. The deputies showed a strong inclination to allow this privilege to remain unexercised, but to use it as the means of establishing by legislative enactments a distinct recognition of important civil rights, which were not to be found in the royal charter. On the 25th of August a petition was moved in the chamber which amounted to a formal and regular bill of rights. It was signed by fourteen members, among whom were three of the four secretaries of the chamber, and it prayed the queen to sanction, as fundamental rights of all Spaniards, the following twelve articles. “1. Individual liberty is protected and guaranteed: consequently no Spaniard can be compelled to do what is not ordained by law. 2. All Spaniards may publish their thoughts by means of the press without a previous censorship, but subject to the laws for the repression of abuses. 3. No Spaniard can be prosecuted, imprisoned, arrested, or separated from his domicile, except in the cases provided for by law, and in the form thereby prescribed.

4. The law has no retroactive effect; and a Spaniard shall be judged not by commissions, but by tribunals legally established before the perpetration of the offence.

5. The house of every Spaniard is an asylum which cannot be violated, except in the cases and with the forms which the law ordains.

6. The law for all Spaniards, is equal, protecting, rewarding, and punishing equally.

7. All Spaniards are equally admissible to civil and military employments, without other distinction than those of capacity and merit, so that all ought equally to apply themselves to the public service.

8. All Spaniards are under the same obligation, in proportion to what they have, to pay the taxes freely voted by the Cortes.

9. Property is inviolable, and the confiscation of goods is prohibited. Nevertheless, property is subject, first, to penalties legally imposed, and to condemnations legitimately executed; secondly, to the obligation of being given up to the state when the public service requires it, on previous indemnification according to the judgment of honest men.

10. The magistrate or public functionary who attacks individual liberty or the security of person or property, commits a crime for which he is answerable according to law.

11. The Secretaries of state are responsible for infractions of the fundamental laws, for the crimes of treason, and concussion, and for the violation of individual liberty, personal security and the right of property. 12. The Urban Militia is to be organized throughout the kingdom, in conformity with orders and regulations which are to be discussed and approved of by the Cortes.”

These articles were by no means

free from generalities, the utility of which would be entirely dependent on the manner in which they were practically applied: but they avoided at least the metaphysical and mischievous abstractions of a declaration of the rights of man—they made no attempt to govern a civilized and artificial society by first resolving it into a state of nature. The standing committee, to which, by the forms of the chamber, the petition fell to be referred, reported in its favour. The debate upon it, as a whole, terminated in a majority of 71 against 38, voting that it should be taken into consideration, notwithstanding the opposition of the government. The petitioners argued that the adoption of these articles was indispensable, because the royal statute was merely an organic law, necessary, no doubt, for the due and useful convocation of the Cortes, but not resting on any of the fundamental bases on which all representative governments must stand. It contained only the mechanism establishing the forms of governing, which might vary in different countries, but none of the principles by which the government should be conducted, and which were fixed and indestructible. Until these great principles were established, a law establishing representative government was a law without the means of support or defence, liable to be destroyed by the first attack of power. England had parliaments long before the revolution; but she had no bill of rights, and her parliaments were unable to prevent either tyranny or usurpation. Spain, at the present day, was at least as far advanced as England had been in 1688, and as Portugal was now: she was equally entitled and equally

fitted to enjoy the protection which they had found indispensable to their liberty and prosperity. It might be prudent to proceed little by little in reforming abuses; but no such course was necessary with respect to principles; for, said Señor Trueba, "A principle cannot be established bit by bit; a principle, like truth, is admitted as soon as made known; for the light of truth appears from the moment that the eyes are opened to see it. Besides, liberty is not a science to be learned; it is a natural instinct impressed on the human heart; and man, as soon as he feels it, has a right to satisfy it, and to seek the shortest and most efficacious means of doing so." Señor Trueba spoke much more sensibly, and announced the true purpose of himself and his friends, when he argued that the chamber ought not to stop, because, in regard to some of these articles, the government might be preparing regulations—for what was conceded by a decree, which might be withdrawn as easily as it was issued, had not the same value as that which was established by a fundamental law with the sanction of all those whose concurrence was essential. The ministers resisted the whole petition as being an improper attempt to renew discussions which the chamber had already set aside. Every one of these articles had been proposed in the committee on the address; but, with one or two exceptions, they had been rejected even by members of the committee who were now petitioners, because they felt convinced that the chamber would not entertain them in the present state of the country. Trial by jury and the abolition of the censorship of the press, had been brought forward in the address, and both

had been already disposed of. To introduce the same propositions in the course of a month, to come, perhaps, to a different conclusion, would derogate from the character for gravity and circumspection which every deliberative assembly ought to sustain, and from the authority which their resolutions, after mature consideration, would have with the nation. There could be no difference of opinion as to the ideas themselves embodied in the petition, but this was not the time for entertaining it. A declaration of rights was not to end with, not to begin.

The country was at present in that situation in which, in England, the Habeas Corpus would be suspended. If this motion was adopted, how was the government to act with an armed rebellion raging in the country, surrounded by secret machinations? How was conspiracy to be detected? In such a situation legal forms could not be strictly observed. "You tie our hands," said Martinez de la Rosa, "but bid us work; you fetter our feet and bid us run."

The discussion of the separate articles of the petition occupied the chamber during seven days. The first article—that "Individual liberty is protected and guaranteed, consequently, no Spaniard can be compelled to do what is not ordered by law,"—was attacked by Count Torreno as being a mere uselessness. Individual liberty was already sufficiently protected in so far as the fundamental laws were concerned; and if those laws had been duly executed in every respect that was owing to the civil anarchy and conspiracy with which the country was afflicted. He might have added, that individual

liberty derives no safety from a declaration that it is protected and guaranteed by law, but from laws by which protection and guarantee are rendered effectual without any declaration. On this article the chambers divided equally; a dispute arose whether the president had a casting vote; but the president declined to use his privilege, even if it should be decided that he possessed it. Count Torreno then moved, in place of the original article, this unmeaning and useless proposition:—"The law protects and consolidates individual liberty," and this resolution, of which it was impossible to say whether it meant that individual liberty was already sufficiently secured, or that it ought to be secured, and which, even if it bore the latter meaning, left the matter precisely as it was as to what these securities ought to be, was adopted by a large majority. The second article, which claimed absolute liberty of the press, free from the restraint of a previous censorship, much as that topic had been already discussed, produced a debate of two days duration; the chamber having resolved that the discussion should not be declared to be closed, till every member had been heard, who might wish to speak. The arguments, on which the proposition was defended, were the usual arguments, that freedom of writing was as much a natural and civil right as liberty of speech—that its existence was essential to the existence of good government, and to the political education of the people—that it could not exist under a censorship, however modified, a censorship and freedom being as contradictory as yes and no—that its excesses might be sufficiently guarded against by a judicious law for

the punishment of its abuses—and that there was nothing in the situation of Spain to prevent the safe and useful application of these principles. Because civil war raged in some of the provinces, were all the others to be deprived of the enjoyment of this blessing? Was the country always to be in the same state? Was the rebel party to be permanent? Were the rights of the queen so doubtful, that they could not safely be submitted to public discussion? And was it prudent to make a practical acknowledgment that the pretended title of Don Carlos was best dealt with by allowing nothing to be said in favour of it? His party was the only one that could be feared; and the principles and pretences of his party were precisely those which unrestrained discussion would most successfully expose. It was indecent to suppose that the title of the queen required ignorance in the people. Her rights stood on the fundamental laws of the kingdom; and, above all, on the voice of the immense majority of the nation. The ministers did not enter into any argument on the general principles involved in the discussion: they treated the question entirely as one of expediency, maintaining that unrestricted freedom of printing was incompatible with the state of the country, and confining their exertions to save the censorship, even though it might be somewhat modified. Martinez de la Rosa declared, that monarchy could not exist along with the liberty of the press in Spain, in its present backwardness in civilization. Those works, the composition of which required knowledge, reflection, and good sense, were already unfettered; but to write mischievous arti-

cles in newspapers, required only extravagant opinions, bad faith, ignorance, and calumny. A political paper thus composed spread like lightning: nothing could arrest its course. The evil was done; and when the remedy came to be applied, it came too late. Before the liberty of the press could be usefully established, trial by jury must be established: for that institution the country was not ripe; and the petition did not include it among fundamental or essential rights. Even some of the opposition members spoke against the article. They thought that, in the mean time, the existing censorship ought to be retained. As the law now stood, the subjects, to which the censorship could be applied, were more limited than they had ever been before. The censors, too, were now compelled to state their reasons for refusing to sanction the printing of any production. There were great practical advantages already gained, and there was no necessity for laying down any fundamental principle. The ministry, however, though supported by these allies, were left in a minority of two, 57 members having voted for the article, and 55 against it.

The same small majority carried the declaration that no Spaniard could be prosecuted, arrested, or removed from his domicile, except for the causes, and in the manner prescribed by law; 50 members having voted for it, and 48 against it, while four could not make up their minds either to support or to oppose it. The sixth article declared, that "All Spaniards are equal before the law, which rewards, protects, and punishes equally," — another of those unmeaning gene-

as, which form the play-
 s of constitution-makers.
 prime minister contended
 like all the rest of these
 as, it was a false proposition
 considered in its practical
 nation. That "all Spaniards
 equal before the law," was a
 principle, since the laws
 did not bear any character of
 utility: but that the law
 ally rewards, punishes, and
 acts," was by no means so cer-
 proposition, and to proclaim
 could be to set the people in
 ition to those very principles
 high society was based, and on
 the Spanish throne, like all
 monarchies, was founded. In
 monarchies there were establish-
 ment hierarchies, which were
 needed necessary ingredients in
 form of government. In
 the dignity of a *Procer* was
 gained, not with the view of
 ruling persons, but because the
 al good of the state required
 the *proceres* should be in
 respects independent of the
 which affected others, in
 to guarantee the security of
 persons, and the freedom of
 votes. In the same manner,
 for a like reason, exemption
 made in favour of the procu-
 ras. Was not the heir to the
 throne more an object of protection
 by laws than any other indi-
 vidual of the state? Were not
 all classes of society in the
 enjoyment of certain privileges?
 Was not a privilege for the mili-
 tary exist? and was it not, there-
 fore, absurd to have one law to
 apply to all equally, and to proclaim
 general maxims which were
 to show themselves inappli-
 cable when put to the test of
 facts? The chamber, however,
 with the article so as to leave

it nothing but its generality. The
 first part of it was carried by a
 large majority, ministers voting
 against it; the second part of it
 was rejected by a considerable
 majority: and thus the Spanish
 bill of rights was carried with this
 notable principle, in all its naked-
 ness, "all Spaniards are equal be-
 fore the law." All the other
 articles were agreed to with some
 slight alterations. The petition
 was directed to be laid before the
 queen regent; but her majesty did
 not hasten to return any answer,
 or to order any bill founded on its
 contents to be introduced." *

* The petition, as finally voted, was
 in the following terms:—

"The Procuradores of the kingdom
 pray your majesty that you will be
 pleased to sanction as fundamental
 rights those which are contained in the
 following articles:—

"Article 1. The law protects and con-
 solidates individual liberty.

"2. All Spaniards may publish their
 thoughts by means of the press, without
 previous censorship; but subject to the
 laws which repress abuses.

"3. No Spaniard can be protected,
 impressed, arrested, or removed from
 his dwelling-place, except under the
 circumstances provided for, and in the
 manner prescribed by the law.

"4. The law has no retroactive effect,
 and no Spaniard shall be tried by com-
 mission, but by the tribunals by law es-
 tablished prior to the perpetration of
 the offence. The same rule applies
 to civil transactions.

"5. The house of no Spaniard can be
 violated, except under the circumstances
 which are or may be ordained by law.

"6. All Spaniards are equal before
 the law.

"7. Spaniards are equally admissible
 to all public employments, and all are
 equally bound to take upon themselves
 the burden of public service.

"8. All Spaniards are bound to pay
 the taxes voted by the Cortes.

"9. Property is inviolable, but is
 nevertheless subject—

Hitherto it was manifest that the deputies were very far removed from being subservient to the government; and the spirit which led to these votes threatened to produce to it still greater embarrassment in its financial operations. Nothing could be more involved or unpromising than the financial situation of the country. Although taxation was oppressive, the revenues were insufficient to meet the current expenses of the state, increased as they were by the existence of the war in the north, which war again was lingering on because poverty rendered it impossible to supply and maintain the means required for its suppression. The amount of debt was large, and on great part of it no interest had been paid for eleven years. Money was indispensable; the imposition of new taxes was impracticable: a foreign loan was the only resource, and before Spain could again come forward as a

borrower, there were certain transactions to be cleared up in which she had previously been engaged in that character. The constitutional Cortes had raised money in England by loan between 1820 and 1823. These loans, so soon as the army of the duke of Angoulême had put down the Cortes, Ferdinand had declared to be null; he obstinately refused to recognize them as debts due by Spain, and upon them that, since 1823 no interest had been paid. The consequence had been the adoption of a resolution by the committee of the Stock Exchange of London, that no new Spanish loan should be allowed to be brought out, till the claims of the Cortes bondholders had been recognized, and provision made to satisfy them. The prevailing sentiment of the present Cortes held out a promise that these debts would soon be acknowledged; but the same spirit held out a threat, that the loans contracted by Ferdinand would be disavowed as having been made by a power having no authority to bind the nation, and applied, not to national purposes, but to the overthrow of that form of government which the nation had selected for itself. According to the statements made to the Cortes by the minister of Finance, the deficiency of the revenue for the current year was no less than 3,362,646*l.*, of which nearly two millions sterling consisted of extraordinary expenses occasioned by the civil war since the accession of the queen. This deficiency, too, was exclusive of the interest of the foreign debt amounting to 1,345,000*l.*, and more than half a million of interest for the domestic debt. The debt itself was composed of

“ 1. To the obligation of being ceded to the state when so required for any object of public utility, a competent indemnification being always previously awarded by the judgment of impartial men;

“ 2. To penalties imposed by law, and to damages in virtue of sentences legally pronounced: confiscation of property is abolished.”

“ 10. The authority or public functionary who commits any aggression on individual liberty or personal security or property, is responsible conformably to law.

“ 11. The secretaries of state are responsible for infractions of the fundamental laws, and for the crimes of treason and official extortion.

“ 12. A national guard shall be established for the preservation of public order and the maintenance of the laws. Its organization to be the subject of a law.”

Foreign debt, with interest	...	20,996,000	1,345,000
Ditto, without ditto	...	4,444,000	—
Domestic debt, with interest	...	9,130,000	555,000
Ditto, without ditto	...	38,430,000	—
Total		73,000,000	1,900,000
Supposed balance of Cortes' loans		17,000,000	
Arrears of interest due on the same		10,000,000	
Grand total		100,000,000	sterling*

On the 7th of August, Count if measures were not adopted to
 Moreno, the minister of Finance, meet it; and that it could not be
 brought forward in the chamber met without a satisfactory settle-
 of deputies, the proposed measures ment of the foreign debt. The
 of the government. Headmitted the foreign loans since 1823 amounted
 great deficiency; that it would be to 29,194,546*l.*, which had been
 published in the course of the year reduced by the operation of the

The following were the different loans:—

	Principal.	Interest and Sinking Fund.
	£	£
1823 .. Royal Loan	1,777,000	256,000
1825-8 French Rentes Perpetuelles ..	4,340,000	304,000
1828 .. French Indemnities ..	2,857,300	160,000
1828 .. British ditto	600,000	30,000
1830 .. Dutch Rentes Perpetuelles ..	4,922,000	324,000
1831 .. General ditto	6,500,000	271,000
1831 .. Cortes' Conversions, 3 per Cent. ..	4,444,000	—
	25,440,000	1,345,000

DOMESTIC DEBT, WITH INTEREST.

1824 ... Consolidated 5 per Cents	2,452,000	162,000
1830 .. Rentes Perpetuelles, Madrid ..	912,000	57,000
1831 ... Consolidated 4 per Cents	4,736,000	276,000
1833 .. Debt of Replacement	1,030,000	60,000
	9,130,000	555,000

DOMESTIC DEBT, WITHOUT INTEREST.

Floating debt, 5 per Cent.	7,640,000
Vales not consolidated, 4 per Cent. ...	8,280,000
Certificates redeemable by quarterly drawings of 20,000 <i>l.</i> each	22,510,000
	£38,430,000

sinking fund, to 25,440,000*l.*; but such had been the mode of borrowing and management, that they had yielded no more than 7,395,952*l.*, and even of this last sum only 2,696,813*l.* had reached the Treasury, the rest being swallowed up in charges and sinking funds. The government did not propose to begin payment of all these demands at once; but it thought that they ought all to be recognized as just debts, and that provision should be made for their gradual extinction. It was imperatively necessary that all questions connected with the foreign debt should be settled, in order that the country, while it paid them off successively, might have time and facilities to recover its strength, and meet all its engagements. It was, therefore, proposed to declare that all the loans which had been contracted by the government, whether before or after 1823, should be recognized as debts of the state: that the whole capital should then be divided into two equal parts, one being called active debt, and the other passive debt: that the active debt should continue to bear interest thenceforth at five per cent.: that the passive debt should bear no interest in the mean time, and that no fund should be provided for its payment; but that, when any portion of the active debt should be redeemed, its place should be supplied by an equal portion of the passive debt. All the accumulated arrears of interest were to form part of the passive debt. Certain sums, however, due to the French and British governments under treaties of 1828, were not to be affected by this measure, and the government was to be authorized to raise a new loan of four millions to meet

the extraordinary demands, and cover the deficit in the Treasury.*

* The particular provisions of the proposed bill were the following:—All loans contracted in foreign countries by the government at different periods, and especially the loans effected either before or after the year 1823, are a *debt of the state*. 2. The liquidation of all this debt shall immediately take place, and as the liquidation proceeds, provisions shall be made for the payment of the interest. 3. All this foreign debt shall be divided henceforth into active debt and passive debt. Its conversion into active and passive debt shall be effected in equal proportions. The accumulated interests of the ancient foreign loans shall be reimbursed by inscriptions in the passive debt. 4. A new five per cent. stock shall represent the active debt, into which shall be converted that part of the ancient foreign loans comprised in the active debt. 5. The active debt shall consist in the first place of the debt bearing interest, which the government may hereafter create; and secondly, of that part of the ancient debt mentioned in article 1. which is to participate in the payments to be applied to the active debt. 6. The passive debt is composed of that part of the debt mentioned in article 1, which shall not have been converted into the active debt. The obligations of the passive debt shall bear no interest, and provision shall be made for their subsequent sinking and reimbursement. 7. All bonds and securities now representing the foreign debt shall be exchanged against new securities within eighteen months from the promulgation of the present law. The minister of finances shall take the necessary steps for effecting this conversion, in London, Paris, and Amsterdam. After the above-named delay, all such bonds and securities of the foreign debt as may not have been presented for exchange, shall *ipso facto* be annulled. 8. A sinking fund of one half per cent. per annum on the amount of the new stock shall be provisionally applied. 9. The sinking fund shall be exclusively applied to the active debt; but when a certain portion shall have been redeemed, whose amount shall be hereafter determined, the redeemed portion shall be annulled, and replaced by an equivalent portion of the passive debt, thus converted into

the proposed plan was referred by chamber to a committee of nine members, all of whom objected to it on different grounds. One of them, including M. Solarte, however, agreed with it so far as to recognize the necessity of recognizing all the loans, whether contracted by the Cortes or by Ferdinand, but dissented from the provisions for paying them. The other five members rejected the recognition of the loans contracted by Ferdinand, because they had not been authorized by the Cortes, but had been negotiated in violation of the declaration issued by the Cortes previous to their meeting in 1823. It soon became known that those who held the latter opinion, formed the majority of the committee; and the creditors, to whom even the proposal of the minister had done but

little debt, and consequently participating in the payment of the interest and in the sinking fund. 10. No loan shall be made in the part of the public debt created to meet the demands of the French Treasury, and for Spanish claims, which are founded on treaties concluded the 30th of December, 1828, and the 28th of October, 1829, neither shall they be included in any of the preceding dispositions. The minister of the finances is authorized to contract a loan of 400 millions of effective reals (100 millions of dollars), destined to cover the deficit in the treasury, and to meet extraordinary necessities. He shall contract this loan on the best conditions which may be offered to him, and which may present the most guarantees. 12. The minister of the finances is hereby authorized to create a 5 per cent. stock corresponding to the amount of the loan, and to assign to it a sinking fund, which shall be fixed upon the bases established by article 8. 13. The minister of the finances is charged to make regulations as the execution of the present law may require, and to publish it with extensive publicity.

imperfect justice, now became loud in their clamour, and called upon their own governments to interfere in their behalf. The excitement at Paris was much greater than in London; for Ferdinand having, in consequence of his rejection of the Cortes debts, been excluded from the English money market, it was in France he had raised those loans which were now placed in so perilous a situation. The Parisian creditors, in urgent representations to their own government, treated the matter as a national question, and the intended refusal to acknowledge the debt as a violation of the quadripartite treaty, so lately ratified. "That alliance," said they, "had not merely war for its object, or the defence of the one or the other state; it establishes also during peace a mutual guarantee between the people. In such a state of things, can Spain of her own accord, and without the consent of her allies, adopt violent measures which must disturb the progress of French industry and the interests of French commerce?" The English creditors were not threatened with the loss of any part of their capital: their principal ground of complaint was that all the arrears of interest due to them were to be treated as passive debt, instead of being, partly at least, converted into a capital bearing interest. The British and French governments supported through their ministers the remonstrances of their subjects; but the Spanish minister could only answer, that the question must abide the decision of the chamber of deputies.

The deliberations of the committee continued for more than a month, and ended in their presenting three reports. The first

was an unanimous report regarding not the debt, but the deficiency of the year. The committee was of opinion that this deficit might, in the mean time be so reduced, as not to exceed 2,000,000*l.*, and recommended that a loan to that extent should be authorized. The other two reports regarded the debt. The first, which was the proper report of the committee as being that of the five members who formed its majority, recommended that all the debt contracted by the former Cortes should be recognised, because it had been legally incurred by the representatives of the nation; but that, with a few exceptions, all the debt subsequently contracted by Ferdinand, commencing with what was called the Guebhard loan, originally negotiated by the junta of the army of the faith, should be utterly disclaimed. They supported this latter decision on the ground that those, who pretended to act for Spain in the transaction, were a band of rebels in open insurrection against the king and the country—instruments used by the holy alliance for the destruction of the lawful government,—a faction who, having introduced a foreign enemy to overturn the national representation, had attempted to burden the country with the cost of that rebellion and invasion. This faction, supported by French bayonets, first created the Guebhard loan, laying on the nation a debt of nearly three millions and a half, and then contracted the royal loan in 1823, which was merely to refund the Guebhard loan, and led to all the subsequent ruinous loans in order to conceal, under new forms and names, the vicious and criminal nature of the original transaction. In none of these

operations had the national will been consulted, nor even those authorities and corporations, whose sanction, in the absence of the national Cortes, was requisite in matters of revenue and subsidies, in order to give even a semblance of authority to taxes and burdens, which could not otherwise be legally exacted. Neither the old law of Spain, nor the constitution of 1812, nor the royal statute of the present year recognised a right of imposing taxes any where but in the representatives of the nation; and in 1823 the Cortes, in conformity with the ancient codes of Spain, had made the reasonable and solemn declaration, that, the nation would never recognise any loan that was not contracted by its representatives.

“Contracts,” said the Committee, “concluded with persons who are destitute of legal authority, are essentially null. To this class belong the Guebhard loan, and those which followed it during the interregnum of the constitutional system. They are contrary to every principle, and are also contrary to law. To recognise stipulations of this sort would be to authorise liberticide transactions, encourage vain hopes, and stimulate the strength of the party of the pretender. Free Spain will never have anything to do with the recognition of a debt contracted for the purpose of fettering the nation.” This report therefore proposed to the chamber to resolve as follows:—

“1. All the loans known by the name of the Cortes’ loans, contracted in foreign countries in the name of the nation, in the years 1820, 1821, 1822, and 1823, are declared legitimate, are recognised as a debt of the state, after the

pending liquidation. 2. The Minister of finance will present to the Cortes a *projecto de ley*, proposing the liquidation and payment of the loans mentioned in the first report. 3. The nation does not pledge itself to be debtor for the loans called the royal or Guehard loan, the *renta perpetua*, the 4 per cent. Spanish, and the debt contracted between 1823 and the present date. 4. 6,000,000 of reals due to Britain for claims on the 1st of January, and the 12,000,000 of reals due to the United States, are admitted from the foregoing articles. The recognition of the debt is stated in favour of the Treasury in virtue of the law of the 30th of December,

1828, is suspended until its examination by the Cortes; but in the mean time the interest and sinking fund will be attended to as heretofore."

The third report was that of the four members who formed the minority of the committee, and recommended urgently that the whole of the foreign debt should be recognised without distinction. Of the 25½ millions of debt contracted since 1823, nearly one half could not be objected to on any feasible ground, and accordingly the majority of the committee had either admitted it, or merely proposed to suspend the formal recognition of it, till farther examination. There was,

Due to England, as finally settled by treaty in 1828,....£.	600,000
Recognised as due to France by treaty of 31 December	
.....	3,200,000
Issued in 1830 for the conversion of the old Dutch debt	1,847,560
Created in 1831 for the conversion of ½ of the Cortes bonds	734,200
Locates created for payment of the other ½ of these bonds	4,804,560
Due to the banks of San Fernando and San Carlos for maintenance.....	754,000
Due to the United States	120,000
	<hr/>
£. 12,060,320	

This sum consisted of debt in any shape or another, which had been fully and legally contracted by the overthrow of the constitution by foreigners and rebels, and only a balance of about 1,000,000 which could be distinguished as having been contracted subsequent to that period. This, however, these members held to be less sacred than the other, and its recognition equally necessary for the maintenance of credit and faith. Neither did they think it necessary that any portion of the debt, and all the arrears of interest should become passive, . LXXVI.

without any fixed provision for a change in its nature. The whole capital should be immediately made active. The arrears of interest should be added to that active capital annually in such portions as that the whole would be capitalized in forty years. The Guehard loan did not escape altogether. It had originally been made payable in twenty years, ten of which were still to run; but it was thought that the nation would be unable to discharge it within this period, and that it would not be unjust, when they were under the necessity of deferring payment

of arrears of interest and capitalizing them only by series, to prolong the period for the final extinction of this loan. It was likewise recommended, that the sinking fund should be reduced from one per cent to a-half per cent.*

These two reports, and the original ministerial project were brought before the chamber on the 16th of

* The bill proposed by this section of the committee was as follows:—Art. 1. All the debts contracted at various periods in foreign countries, and especially the loans anterior, as well as posterior, to the year 1823, are a debt of the state. Art. 2. The examination and liquidation of the debt known by the name of Cortes bonds shall be proceeded with by a special committee, to be named for that purpose. Art. 3. The whole of the foreign debt is recognized at its integral nominal value, at the interest of five and three per cent, in which it was contracted. Art. 4. The arrears of interest of the debt contracted between 1820 and 1823 shall be capitalized by 40 parts during the 40 years comprehended between the 1st of January, 1835, and the 31st of December, 1874, forming 40 series, which shall pass by annual drawings of lots to the debt with interest, and shall enjoy the annual premium of five per cent. Art. 5. The Royal, or Guebhard loan, which, as originally contracted, was made payable in 20 years, counting from 1824 to 1843, shall be reduced to the rank of the Renta Perpetua, contracted in virtue of the decree of the 15th of December, 1825, without any further sinking fund than that of one-half per cent. Art. 6. The sinking fund for the Cortes bonds, as well as for the Renta Perpetua, shall be reduced to one half per cent, instead of one per cent, as heretofore paid in the respective markets where the stock circulates. Art. 7. That part of the foreign debt which was created to satisfy the French treasury and the English claims in virtue of the treaties concluded on the 30th of December, 1828, and the 28th of October, 1828, shall suffer no alteration, and are not included in any of these provisions.

September. The debate on the question whether the loans of Ferdinand should be recognized was continued, by adjournment, for ten days. The opponents of the recognition contended that these loans should be disavowed, because they were illegal in themselves and fraudulent in their execution, and that there were no well-founded considerations of policy or expedience to justify the acknowledgment of claims so unjust and vicious in their own nature. The legality of the loans it was impossible to maintain, after the protest which had been entered on the records of the Cortes of Cadiz, to the effect that no loan, which was not approved of by the representatives of the nation, should thenceforward be recognized. It should be sufficient that the loans in question fell under this decree of forfeiture to secure its execution by the present Cortes, which ought to regard themselves as the successors of the Cortes of 1823. When the government left Cadiz in 1823, the Cortes, before their separation, took two protests, the one a general one in favour of the rights of the nation, the other special against the contracting of loans without the consent of the national representatives. At that time the representatives of the nation, amidst a shower of shells, with a squadron in front and an army in the rear, placed the national rights in safety; and would the Cortes of 1834, deliberating in full freedom, do nothing for the protection of these same rights? It was their duty to revive that protest, and reprobate all that had been done in defiance of it. Hence, too, the lenders had received notice that if they did lend, they would not be lending to the nation. That

declaration of the Cortes was in the nature of an advertisement to the lenders of the risk they ran in lending money without the stipulated condition, and especially in lending it to a faction whose declared object was to put an end to the representative system. The lenders did not err from ignorance; all the public papers of the liberal party gave warning to the people of France that they should take no part in the ruinous contracts which Spain could never recognize. In spite of all this, the lenders risked their money; and for what? To enslave the Spanish nation, and to support a despotism which the monarch did not desire. These loans were extorted under the influence of foreign bayonets, and of this the best proof was to be found in the decree for the recognition of the Guebhard loan. What was required in the conditions of that loan? Why the slavery of the king himself, since he obliged himself never to recognize the loans contracted by the Cortes. The transactions, moreover, had been fraudulently conducted, for the mere purpose of pillaging Spain. So gross was the fraud that even the government of Ferdinand did not quietly yield to it. A law suit had been commenced in Paris, in the name of the ambassador of Spain, against Guebhard. The French government intrigued to delay the judgment for several weeks, in order to afford time for the opening of the chambers, and for the celebrated declaration of war of Louis XVIII.; and would it not be scandalous if the Cortes now approved of that which the despotic government of Ferdinand VII. at least hesitated to sanction? The Conde de Oñate, in 1831, prepared a memorial on the subject

of the Guebhard loan and others, including the Dutch loan, in which he found so many iniquities, perfidies, and robberies, that he deemed it necessary to render an account of them to the king; and his majesty gave orders that a prosecution should be instituted against Burgos and the minister Ballasteros. Neither, in point of fact, was the debt due by any body. That worthless loan had been twice repaid. For ten years interest at the rate of ten per cent, had been paid, which in itself constituted a repayment, and it had also been paid in twentieth portions, which, in the space of ten years, equalled the half of the capital. The question for consideration at present was, whether the debt should be paid a third time. It might be said, no doubt, that these loans no longer remained in the hands of those by whom they were made; that the bonds had been purchased by respectable individuals, fathers of families, who would be deprived of the means of subsistence if the interest was not paid. And would not the poor labourer, who unfortunately took a bad dollar, lose the value he had given for it, though he was not the person who first put it into circulation? And there was this difference between the two cases—the labourer would take the bad crown without being aware of its worthlessness, whereas he who purchased Guebhard's bonds did a voluntary act, supposing that it would turn out to his own advantage. It was said, too, that the nation had submitted to the government of these latter years, and could not quarrel with the obligations of a government which it had allowed to exist. But how had the chains of the nation been rivetted in 1823? It was by

means of an invading army backed by the moral force of all the cabinets of Europe. The Spanish nation could never be regarded as the heir of the regency of Urgel, the rebellious faction who contracted the debt. Could a nation rise up in rebellion against itself? and, if not, the consequence was clear, that the nation could not be called upon to pay a loan like this. To those who affirmed that they did not support this loan because it was contracted by the junta of Urgel, but because it was approved of and confirmed by the king after his majesty had quitted Cadiz, the answer was, what did he confirm? If it was previously valid, the confirmation was good; but if null, it could give no force to a nullity. On his accession to the throne the king confirmed all the judges, but if a man was not a judge, the king could not confirm him. In the same way he confirmed nothing of the matter in question, because there was nothing to confirm.

With regard again to the alleged expediency of recognizing the debt, whether just or unjust, because otherwise the credit of the nation would be in danger, it was a bad way of retaining credit to throw away money in paying debts without inquiring whether they were legitimately due. He enjoyed the best credit, who payed what he owed, and no more. It was the plan of the minister, not that of the committee, that would lead to bankruptcy. That government could not be bankrupt, which recognized all debts that had been legally contracted; but if all the loans were acknowledged, they would then have, and that very quickly, an actual bankruptcy. The minister said to the claimants, we admit that the debt is due, but

we cannot pay it: the committee said, we are ready and able to pay every thing that is due. Public credit could not suffer abroad, when foreign countries saw that Spain recognized all the loans made by the Cortes, because they possessed all the qualities of legality necessary to their recognition, while the others were deficient in those qualities. There was a difference of no less than 19 per cent. between the value of the Cortes bonds and the other loans. And what did this prove, but that there was a confidence in the recognition of these sacred obligations, while the same degree of confidence was wanting with regard to those which did not possess the same character. The proof of the good sense of the English people, and of the high opinion they entertained of the judgment of the people of Spain, was—that since the convocation of the Cortes and the discussion of these matters, notwithstanding the project presented by the Minister of Finance, in which he proposed that the half of the debt should be recognized as active, and the other half as passive, the bonds of the Cortes had risen in London from 12 to 47. It was a visionary fear to apprehend danger from France, unless her capitalists were propitiated by acknowledging these loans. The majority of Frenchmen were liberal; these royal bonds had not been widely spread among the mass of the people, but were confined to the hands of three or four stock-jobbers; and the bourse of Paris would be as open as the London stock-exchange to Spanish borrowers. If Spain took a deep interest in the maintenance of a French alliance, France had the same interest in her's, since there, as well as here, there was a pretender to

the crown. If here there was a feeling for Carlos V.; in France there was an equal feeling for Henry V.; and France had republicans, while Spain had none. Frenchmen, if they acted with good faith, could exact no more than what the principles of reciprocity required. "If, on the one hand, Don Carlos receives no assistance from them, we shall give no aid to Henry V.; while, if they aid us with an armed force, an event which is far from being desirable, then the time may come when we may be equally serviceable. Let us maintain this reciprocity in mutually supporting our systems of government, even although ours should enjoy an inferior degree of liberty. This principle is as useful to them as it is to us, since it is saying to the bankers of the holy alliance, and to all who conspire against the liberty of nations, that if they lend their money for the purpose of overthrowing our government, they run the risk of losing it. The solemn sanction of such a principle is as convenient for France and Belgium and Portugal, as it is for Spain, since not to sanction it would be to infer that the loans made for Don Carlos would be recognized in Spain, that those now making in Holland would be recognized in Belgium, those of Henry V. in France, and those of Don Miguel in Portugal."

On the other hand, the ministers, the members who had formed the minority of the committee, and many other speakers, argued first of all, that the government plan could not, with any justice, be represented as involving a substantial bankruptcy in recognising only a part of the debt. It recognised the whole debt as to its legitimacy; and it was only because there was

a doubt whether the nation was in a condition to pay the whole of it, that a proposal had been made to pay for the present only the half, leaving the other half to be satisfied when Spain should find herself in possession of resources sufficient to enable her to escape from her difficulties. The basis adopted was, that all the loans contracted in the name of the nation should be recognised by it, and declared to be debts of the state. This was at once a principle of good faith and one which tended to the preservation of public order. The government had not proposed any examination into the loans of the Cortes, nor into those of more modern date, although a great deal might be said of all of them, because it would only serve to stir up the smouldering embers of discord. This situation could not in any case be called bankruptcy, since the debt was admitted by the government. On the contrary, the proposal of the majority of the committee was liable to that imputation, declaring all the loans contracted since 1823 to be illegal, and therefore not due. And from which party did this declaration proceed? Why, from the debtor. If this reasoning were good, who would ever treat with a nation which claimed the right of declaring the loans contracted by it, to be of no obligation? Were these the principles of justice so loudly vaunted? Were they entitled to say, that they withdrew from engagements, because they were illegitimate, and that they were illegitimate, because they themselves said so? This would be both discreditable and unjust. The money, forsooth, had been misapplied. But was that a question for the lenders? The application of the proceeds of the

loans was a question of responsibility with those who might have committed malversations, but could not affect the interests of foreigners who had advanced their money, trusting to the stipulations of a regular contract. It ought to be adopted as a first principle, that the internal changes in the government of a state, and the political vicissitudes to which it might be subjected, ought not to be taken into account, when treating of the credit of the state, and, above all, of its credit with foreign nations. How could they say to foreign nations, that all that Spain had been doing, for the last ten years, was void? What was the meaning of that constitutional interregnum which was said to have existed during that period? The present system was neither an emanation of the late reign, nor of the constitution of 1812, but simply the restoration of the ancient laws of the monarchy. The committee had not sufficiently reflected on the consequences of their proceeding. If the loans were null, were the institutions legitimate? There were people who followed such principles, with the best faith in the world, leaving it to others to bear the burden of the consequences. What arguments could they offer to foreigners when they tell them, that these debts are not to be paid? Because, forsooth, there were certain laws in Spain which determine that no loans should be raised without the sanction of the Cortes. Was it necessary for foreigners to study the Spanish laws, or to make themselves acquainted with the changes which took place in them? Besides, how could any foreigner, according to the principles of the committee, have gone to the *recopilacion* to

seek for such a law; and if he had, what would have been the consequence of his finding it obliterated, or of its having been for ages in disuse? They themselves, no doubt, were aware, that by the laws of Spain, the King in Cortes alone could contract loans and impose taxes. But the law which had been quoted from the *Novisima Recopilacion* was not to be found there. The argument was built upon a law which did not exist in their codes, and which they themselves had not hitherto observed. There were various examples of a monarch doing the same thing which was done by Ferdinand VII., without consulting the deputies of the nation, such as the formation of *vales reales*, and the recognition of the Dutch debt in the reign of Charles III., without even a semblance of national representation. Besides, if the king had not the right of exacting contributions, which had not been voted by the Cortes, why had the nation been paying them? How could foreigners be told that they must have known the loans to be illegal because contracted only by the king, although they saw all Spain paying taxes imposed by no other authority. If the doctrine of the nullity of the loans contracted since the year 1823, because the concurrence of the Cortes was wanting, were once admitted, the press would declare that the whole of the national debt was tainted with nullity, because the Cortes had not, in fact, consented to its creation. The protest taken by the Cortes, in the year 1823, was so very little known, that it had to be sought for in a foreign newspaper—a paper so little known in Spain, that it would be difficult to find a copy. The protest itself

could be of no avail. It was suggested by circumstances, as the mandatories of the nation were not reinvested with power, the protest lost its value, like many other acts of the Cortes, which had remained without effect, and it would not be very equitable to try to revive it now, after ten years had elapsed. The loan itself could not be said to have been truly and substantially contracted by the Junta of Urgel, but by that of Madrid. Even the regency of Urgel had been recognised by some foreign nations, and ultimately the king had sanctioned its proceedings, and adopted and approved of the loan. Now a nation must always be under one form of government or another. Spain was as much a nation then as it was in the time of the constitution: it had a government, and a monarch who ordered the loan to be recognised. A sovereign, who is obeyed throughout his dominions, by the whole of his subjects, must be held to be in the full enjoyment of all his rights; and as it was such a sovereign, recognised not in the Peninsula only, but in Asia and America, who sanctioned the Guebhard loan, and all its consequences, there could be no reasonable doubt of its legitimacy. The expediency of recognizing it was equally plain. It was true, that the result of the discussion did not involve the question of peace or war with France and England; but still these two cabinets had addressed to the government joint and urgent representations in favour of an equal acknowledgment of all the foreign debts: and if the non-recognition of the bonds of the Cortes produced a blow that was fatal in the markets of London and Paris, it was clear that a declaration of

nullity now as to the other loans, although accompanied by the recognition of the Cortes bonds, would produce a similar effect. It was easy to talk of such a refusal being an useful warning to lenders—to those who had been called the bankers of the holy alliance; but in the present situation of Spain such a warning was neither just nor reasonable; for unfortunately they would be obliged immediately to apply for money to the very persons to whom this warning had been given.

The question was decided in favour of the recognition of all the loans, by a majority of 16: the first clause of the ministerial bill, viz. "That the debts contracted by the government, at various periods, in foreign countries, and particularly the loans, as well anterior as posterior to 1823, are acknowledged as debts of the state," having been adopted by 63 members, while 47 voted against it. But the triumph of the French creditors was of brief duration. On the very following day, the clause which had just been voted, was attacked by a series of amendments tending to except from it, a larger or smaller portion of the disputed loans. It was first moved to except from it the Guebhard loan, and such of the other loans, since 1823, as had been mere re-issues: this motion was rejected by a majority of only four. Next it was proposed to recognize the Guebhard loan, the Rentes perpetuelles, the Spanish 3 per cents, and the deferred debt, only to the extent to which they had actually found their way into the public treasury: this amendment likewise was negatived. The opposition was then limited to the Guebhard loan, and it was moved that, to the clause

should be added the words "except the Guebhard loan." The debate was a mere repetition of the previous arguments, but the motion was carried by a majority of 25.

Count Toreno, on this decision being come to, stated, that in all probability the government would now find it unnecessary to divide the debt into active and passive: that having resolved to reject part of the debt altogether, they could no longer confine themselves to the payment of only one half of that which was acknowledged; and he therefore proposed that the bill should be sent back to the committee to be considered in relation to the altered state of circumstances. Even this proposition was carried only by a majority of six, for a strong resistance was made to it by the opponents of the loans: having failed in these attempts to exclude them entirely, they wished to diminish their value as far as possible by converting one-half of them into passive debt, even though by so doing they were inflicting the same injury on the Cortes bonds. The report of the committee was almost entirely in the terms of the former report of the minority—that no part of the capital should be made passive—that the accumulated arrears of interest should be capitalized by equal portions of one-fortieth every year, beginning on the 1st January, 1835, and bearing five per cent interest from the date of its capitalization,—and that the sinking fund should be reduced to one-half per cent. Two of the committee, again, reported their opinion, that the division of the debt into active and passive should still be adhered to, but that the active portion should con-

sist of two-thirds of the whole, instead of one-half, as had been originally proposed by the government. In the chamber, the ministry lent all their weight to the report of the committee, which the opposition again denounced as recommending a plan which would lead to ruin. Nothing, they said, would have been gained by rejecting the Guebhard loan in opposition to the government; if, in consequence of that rejection, other burdens were to be imposed, which the government itself had not originally contemplated. It would have been better at once to have recognised that loan, making half of the debt passive, than to reject the loan, and make the whole of the debt active. It would be necessary to apply the same rule to the domestic debt, and then the whole revenue of the country would be swallowed up in the payment of interest. On the other hand it was represented, that the relief to be effected by making one-third of the debt passive, was too trifling to be of any real service in alleviating the burdens of the people; that, by agreeing to pay the interest of the whole, credit would be sustained, without which a new loan (and a new loan was indispensable) could not be effected, and the government would gain eight or ten months delay, before being obliged to pay the interest of the debt. The opposition, however, was successful: the Chamber rejected the report of the committee, and determined that one-third of the capital of the debt should be treated as passive, the proportions of two-thirds, and one-third being taken, not according to the capitals, but to the interest. The provision of the committee to begin immediately the capitaliza-

tion of the arrears of interest was likewise abandoned, and was replaced by the original proposal of the minister, that when a certain portion of the active debt, "whose amount shall be hereafter determined," should have been redeemed, there should be substituted for it an equal portion of the passive debt, which passive debt comprehended all these arrears.* An unanimous vote authorized the contracting a new loan of 4,000,000*l*.

* The recommendations of the committee regarding this matter were:—
 "Art. 1 2 & 3. All the bonds and vouchers that now represent the foreign debt shall be exchanged, within the space of one year from the date of the promulgation of the present law, for other vouchers of an equal nominal value, at the interest of three and of five per cent, according as they have been contracted. If this term of a year should pass without their having been presented for this conversion, the bonds shall lose the interest to which they are entitled. The certificates, named deferred debt, shall continue to circulate as they are at present, and be drawn for by lot, as heretofore.

"4. The interest due, but not paid on the debt contracted between 1820 and 1823, and the bonds with premium, shall be capitalized by fortieths during the forty years comprised between January 1, 1835, and December 31, 1874, forming forty series, which, by an annual drawing, shall pass to the debt with interest, and enjoy the annual premium of five per cent.

"5. All the foreign debt converted into new bonds shall enjoy one-half per cent per annum for sinking it.

"6. The part of the foreign debt created to satisfy the Treasury of France and the English government, in virtue of the treaties concluded on October 28, and December 30, 1828, shall not undergo any modification, and shall not be included in the present provisions.

"7. The minister of the finances shall appoint the commission or commissions, who shall have an understanding with the lenders for the settlement of the accounts. He shall also

These proceedings, however, had only increased the difficulties of raising a loan. The rejection of the Guebhard loan had roused the wrath of the Parisian Bourse: the stock exchange of London continued shut, because no part of the arrears of interest was either paid or capitalized. The claims of British subjects arising out of loans made to the Spanish government between 1820 and 1823, amounted, including interest, to twenty millions sterling. No interest had been paid since the 1st of November 1823; and the terms of payment now proposed were complained of as being fraught with injustice to the British creditors. An active form being assigned to two-thirds of the debt, and to one-third a passive form, the arrears of interest now due and payable to the British creditors, of which they had been deprived for more than eleven years, were placed entirely in a passive state. The French creditors of Spain, on the other hand, the holders of the Rentes Perpetuelles and of Guebhard's loan, had constantly received the payment of interest due upon their bonds, while the British creditors had been entirely deprived of the interest due to them. Thus the principle of equal justice, which the Spanish minister of finance declared it was the intention of the Spanish government to maintain in the liquidation of its fo-

take the measures necessary to effect the conversion mentioned in Article 3, at the Exchanges of London and Paris, Amsterdam and Antwerp.

"Finally, he shall indicate the arrangements the most proper, and the most uniform for the payment of the dividends, beginning by the Cortes bonds, to date from January 1, 1835,"

reign debt, had been violated in reference to the British claimants, who contended, that the interest of the British debt already due should be treated as principal in any operation, pretending to the merit of equal justice, which the Spanish government or legislature might think fit to adopt. Even then English creditors would suffer largely. Not only would the value of compound interest, enjoyed by the other creditors of Spain, have been lost to them, but the interest which was now due, worked up into Spanish securities, instead of being paid, as it ought to have been, in sterling money, would lose nearly half its value.

The Cortes bondholders therefore claimed, that the arrears of interest should be treated as a debt in equal degree with the principal; and if two-thirds only of the foreign debt were to be made active, they claimed that two-thirds of the interest now due and payable, should have an active form, as well as two-thirds of the principal; and, in the mean time the stock exchange was to be shut against any new Spanish loan.

As these considerations and resolutions were strongly pressed by the British ministry on the court of Madrid, a sense if not of justice, at least of expediency, induced the Spanish government to back them with all its influence, although the original proposition of count Toreno had been obnoxious to the same objection of capitalizing no part of the arrears of interest. Every exertion, therefore, was made, to obtain from the peers, to whom the bill had now been sent up, a more favourable decision than that of the deputies. The opinion reported by the

committee of the Upper Chamber went no farther than this, that the peers, while adopting the bill as it now stood, "should reserve the right of requiring under form of petition, the acknowledgment of the Guebhard loan as soon as circumstances would permit." It did not propose any alteration regarding the arrears of the Cortes bonds. The chamber itself, however, went further. An amendment to strike out from the first clause the exception directed against the Guebhard loan was carried by a great majority. This was to satisfy France. To satisfy England, count Toreno proposed a provision, that the arrears of interest already due, should become active within the space of twelve years from the 1st of January, 1838, without prejudice to the other means which might be applied to the repayment of the passive debt,—and this addition was adopted without a division.

On these two points the peers were thus opposed to the majority of the Deputies. The regulations required, that when the two Chambers differed in opinion, the disputed matters should be considered in a joint-committee—a sort of conference by managers—consisting of five members of either house. The conference did not promise much harmony, for the five members named by the Deputies contained two of the members of the former committee, who had successfully resisted both the recognition of the French loan and the conversion of all the debt into active debt, and Galiano and Arguelles who were deeply imbued with the same principles. These four gentlemen accordingly reported to the Deputies, that the amendments of the peers ought to

be rejected, while their colleague reported, that they ought to be adopted. The chamber saw, that consistency must give way to necessity, and followed the latter advice. By a majority of eighty to thirty-five, it voted that the Guebhard loan, which it had so lately rejected, should be recognized, and placed on the same footing with the rest of the debt. The other amendment for converting the arrears of interest into a productive capital by twelve parts in twelve successive years, encountered no formal opposition, some of the liberal members even proposing to shorten the period of making it begin on the 1st of January, 1836, instead of 1838. The bill was then passed, and the loan for 4,000,000*l.* was negotiated at sixty per cent, sixty-six to be paid for one-half of it, if the scrip, within six months of the 20th November, should be and continue for eight days, from one-eighth to one-fourth per cent above sixty.

The only other measure of importance which occupied the Cortes during the year was the passing a bill of exclusion from the throne against Don Carlos and his descendants. It was introduced into the peers by the ministers of the crown, soon after the Cortes had assembled, and passed both houses without any opposition. The grounds on which it proceeded were, that Isabella was the undoubted and rightful queen of Spain; that Don Carlos had been guilty of treason and rebellion against his lawful sovereign; and that traitors and rebels, by the law of Spain forfeited their rights and those of their descendants. The clear constitutional law of the country was, that a female in the direct line excluded a remoter male. This law, promul-

gated by the Cortes in 1611 during the reign of Philip III., had constantly been observed, and was completely opposed to the pretended right of succession on the part of Don Carlos. The salic law, which was the chief ground on which the pretender rested his case, had been introduced by Philip V., solely for the advantage of foreigners, and was so entirely opposed to the feelings and habits of the Spanish nation, that if unfortunately a case for its application had occurred, it would undoubtedly have produced a formidable revolution. But supposing that this law had been executed, it ought not to be forgotten that it was repealed by another law passed by the Cortes in 1783, in conformity with the customs of the people, and which was promulgated *de novo* by Ferdinand in 1830. By this law Donna Isabel II. had succeeded to her father's throne, to which Don Carlos could not justly allege any right whatever. His treasons again were too notorious to require proof. The committee of the deputies, to whom the bill was referred, carried them back to the lifetime of his brother. Even then, they said, conspiracies had been formed against the state and the throne by a sanguinary faction. These iniquitous attempts were nourished under the protection of the name of Don Carlos, who took no care to silence the rumours which were circulated throughout the nation, and which fostered criminal hopes at the expense of his fidelity. His name was the shield behind which the conspirators of Catalonia threw themselves into the lists amidst cries of rebellion. It was his name also which was constantly heard in connexion with plans of

meditated usurpation and future tyranny. The conduct of the Infante during his residence in Portugal was not a secret, and still less the frivolous pretexts and paltry subterfuges with which he eluded or rather contemned the orders of his sovereign. Scarcely had the monarch descended into the tomb, when his brother, throwing off the mask with which he had concealed his designs, encouraged his blinded and deluded followers to light the flame of civil war; and now he was himself in the field, at the head of a rebel army, making open war against the country, and its legitimate and recognized sovereign. He was thus most strictly within the Spanish law of treason, which declared that crime to be committed, "if any one concert with the enemy to make war or do mischief to the king or the kingdom, or lend them aid or counsel, or send them orders or letters summoning them to do anything against the king or to the injury of the land; or if any one labour by deed or counsel, so as that any district or people, who obey the king, should rise against him, or should refuse to obey as they have been wont." The same law fixed that, in addition to the personal punishment of the traitor, "all his male issue shall be declared for ever infamous, so as to be incapable of the honours of chivalry, or any other office or dignity, or of inheriting the property of their parents or of strangers, or of enjoying the bequests which may be made to them, this penalty being due for their father's crime." The first clause of the bill, therefore, excluded Don Carlos himself for ever from the right of succession to the throne of Spain, and the

second extended the same exclusion to his descendants. A third clause was proposed enacting, that in the event of the queen and her sister dying without issue, the infant Don Francisco, who stood next in the line of succession after Carlos, and his descendants should succeed; but it was opposed as being attended with many inconveniences, and was withdrawn.

In the mean time Don Carlos had been maintaining the contest in Navarre and Biscay with the same varying fortunes and indecisive results which had characterized the contest from its outset. So soon as his arrival in Navarre was known, the four powers who had been parties to the quadripartite treaty renewed its stipulations in respect that its object had not been yet attained.* France was to watch the frontiers, and Britain to guard the northern ports of Spain, so as to prevent the insurgents from receiving assistance in men, money, or ammunition: Britain was, likewise, to supply such

* "Their Majesties, high contracting parties to the treaty of the 22nd of April, 1834, having taken into serious consideration the late events which have occurred in the Peninsula, and being convinced that the new state of affairs in that country call for new measures in order that the object of the said treaty may be fully attained, have appointed their Plenipotentiaries (here follow the names and qualifications of the same Ministers who signed the treaty in April) who have agreed on the following articles to be additional to the said treaty of April 22, 1834:—

"Art. 1. His Majesty the King of the French engages to adopt such measures on the frontiers of his States as may prevent the Spanish insurgents from receiving from the French territory any kind of assistance soever, whether in arms, men, or munitions of war,

"Art. 2. His Majesty the King of Great Britain and Ireland engages to

arms and munitions of war as the Spanish Government might stand in need of. Portugal was to co-operate by all the means in her power, if her assistance should be found necessary. It was some time before general Rodil, after having concentrated his troops, could commence his operations; and when he did, the Carlists repeated their former tactics. Avoiding the danger of allowing themselves to be drawn into any general engagement, they harassed their opponents by rapid movements and unexpected attacks. Rodil had not more than 20,000 men, whom he was obliged to divide into several corps, each of which had to contend with an enemy superior in numbers and stronger by the advantage of ground and localities, where the skill of disciplined troops was of little avail. The Carlists, however, dispersed and retreated on all sides before him. In Navarre he pushed them to the

supply her Catholic Majesty with such arms and munitions of war as she may stand in need of, and moreover, if necessary, to assist her Catholic Majesty by the use of a naval force.

“Art. 3. His imperial Majesty the regent of Portugal, in the name of the Queen Donna Maria, wholly animated with the same sentiments as his august allies, and wishing also to show his gratitude for the engagements entered into by her Majesty the Queen regent of Spain by the 2nd article of the treaty of the 22nd of April, 1834, engages to co-operate, in case of need, in assisting her Catholic Majesty with all the means in his power, in the way which may be agreed upon by their said Majesties.

“Art. 4. The preceding articles shall have the same force as if literally inserted in the treaty of the 22nd of April, 1834, of which they are to be considered as forming part; and their ratification shall be exchanged in London in the space of 40 days, or sooner if possible.

French frontiers, and in Biscay towards the sea. He had made himself master of the Bastan; and he fortified, as he advanced, such positions as might afterwards be useful. Don Carlos himself, sometimes along with Zumalacarregui and the main army, sometimes with a separate body, was now retiring into the fastnesses of Biscay, and now seeking safety in the mountains of Navarre. Little blood, however, was shed, except when prisoners were put to death as rebels taken with arms in their hands. The Carlists speedily again assumed the offensive. In the beginning of September, the queen's troops seemed every where to have been victorious, without fighting, and their opponents to have disappeared; but, ere the end of the month, the latter had not only laid siege to Elisondo, which Rodil had converted into a fortified position, but assaulted Tolosa, made an attempt on Vergara, and pressed forward between Pampeluna and Vittoria, into the neighbourhood of Estella. All that Rodil had done seemed in an instant to be undone. He was recalled from the command, and it was given to Mina, whose skill and popularity could not fail, it was thought, to insure success.

Zumalacarregui having descended into the plains of Vittoria in the middle of October, the queen's troops, commanded by general Osma, made preparations for cutting him off. But the Carlist chief, ever active and enterprising, penetrated the design, and before the combined movement could become dangerous, cut off a body of 1,400 royalists, under the command of general O'Doyle, on the 27th of October. The queen's troops lost all their artillery, arms, and ammunition; general

O'Doyle himself fell, and nearly the whole of his division was killed or captured. On the 28th, Osma marched from Vittoria with his whole force to oppose the advance of Zumalacarregui. The latter attacked him in the course of the same day ; drove him from all his positions, and pursued him to the walls of Vittoria, the fortifications of which were a sure protection against all the means which irregular warfare could supply. On this last occasion the government accounts admitted a loss of 200 men; those of the Carlists stated the killed alone at 600 men. These disasters occasioned great alarm in Madrid, and loud outcries against the want of energy and capacity in the ministry. The clamour was so general that Zarco del Valle, the minister of war, tendered his resignation. Llauder was appointed to succeed him, retaining at the same time his captainship-general of Catalonia.

It was immediately after these disasters that Mina assumed the command. In his first proclamation from Pampeluna, November 4th, he announced the plan on which he was to conduct the war as one "of extermination." If those who had been led astray did not immediately submit, and either return to their homes, or enlist in his army, they were assured that no prayers or entreaties, from whatever quarter they might come, would be of any avail to alter the doom he had prepared for them. Every individual who was found at a distance from the highways between sunset and sunrise, without being able to give a satisfactory reason for being so, was to be immediately put to death. On the

12th of December a detachment of his troops, commanded by Lorenzo, gained an advantage over the Carlists under Eraso, at the pass of Carrascal, in the immediate neighbourhood of Pampeluna, the head-quarters of the general. On the same day, an engagement took place between Zumalacarregui and the queen's troops at Asarte. The action terminated in the retreat of Zumalacarregui. Mina stated the loss of the insurgents in these two affairs at 1,500 men; and the language used in the proclamation in which he announced these successes to the inhabitants of Navarre, was calculated to produce the impression, either that there had been neither wounded nor prisoners, or that the wounded and prisoners had been butchered. "Mark well my words," said he, "for you know I do not speak in vain. I declared a war of extermination against those who should obstinately persevere, and in one day 1,500 of them were exterminated." Zumalacarregui was so far from being routed, that, two days after the engagement of the 12th, he was again at Campeza, not far from the place where that action had been fought, and attacked the division of general Cordova, who did not escape without loss. One of Zumalacarregui's children, an infant still under the charge of its nurse, was seized by the royalists, and actually sent to Pampeluna. Madame Zumalacarregui passed into France to place her other children in safety. So soon as she crossed the frontier, she was made a prisoner, and placed under the custody of French centinels.

CHAP. XIV.

PORTUGAL.—*Progress of the Queen's arms—Leyria surrenders—The Miguelites are driven from the northern provinces—Spanish army enters Portugal—Don Miguel abandons Santarem—Capitulates at Evora—Leaves the Peninsula—Decrees of Don Pedro declaring Lisbon and Oporto free ports—equalizing the duties on imports—abolishing the Oporto Wine Company, and all monasteries and religious houses—Establishing a Metallic currency—Meeting of the Cortes—Speech from the Throne—Don Pedro appointed Regent—His resignation—His death—Ministry of the Duke of Palmella—Marriage of the Queen—Exclusion of Don Miguel and his descendants from the Throne—Sale of the national domains—Change in the currency—The budget of the year—Close of the session of the Cortes—Ungrateful treatment of the foreign auxiliaries.*

AT the close of 1833, the cause of Don Miguel in Portugal, had ceased to wear a promising appearance. The government of the Queen was in possession of the capital, as well as of Oporto: it had an efficient army, now accustomed to service, and commanded by able officers; it had the means of procuring money; it was recognized by foreign states, and supported by their alliances. The authority of Don Miguel, indeed, was obeyed over a large extent of country; many important fortresses were still in his possession, and he was at the head of a respectable army; but his navy, which secured to him reinforcements from abroad, had been destroyed: the course which events had taken in Spain had deprived him of the aid which would have been most immediate and effectual; he had no ally; he had no money; and, worse than all, the population shewed no disposition to make a

voluntary effort in his favour. He remained shut up in his strong position at Santarem, apparently the unpopular as well as the unsuccessful candidate for the crown, and making no exertion even to communicate with and support the commanders who still maintained his cause in different provinces of the kingdom.

The government, on the other hand, resolved to pursue its military operations with vigour. It was not deemed prudent to attack Santarem itself, which could not be carried without heavy loss, while a check might have been productive of very mischievous consequences. The plan adopted seemed to be, to establish the queen's government as extensively as possible by crushing the smaller bodies of men who were still in arms for the cause of the pretender in other parts of the kingdom, till there should be no Miguelites but those who were around

himself. In pursuance of this plan, the duke of Terceira, joined the queen's army before Santarem in the beginning of January, in order that Saldanha might undertake other operations. The first attempt of the latter was against the important town of Leyria, between Lisbon and Coimbra, which was occupied by a Miguelite garrison of 1,500 men. Marching from Santarem with between four and five thousand men, on the 12th of January, he reached Leyria on the 15th, approaching it with the great body of his army, from the side of Coimbra, while another division advanced more directly to occupy the attention of the garrison. The latter prepared at first to resist this division; but on learning that the main army had got between them and Coimbra, they lost courage, evacuated the town, and attempted to retreat. It was too late: Saldanha was upon them, and they were utterly routed. The victors disgraced themselves by wanton bloodshed; they gave no quarter: and their commander was under the necessity of assigning this as the reason why, after such a route, there were so few prisoners. Saldanha then marched towards Santarem from the north, and on the 25th of January made himself master of Torres Novas, where the same system of massacre was renewed. Saldanha was compelled to write in his dispatches, "It was very difficult to prevail on our soldiers to grant quarter, and consequently the number of killed was very considerable, and we have only seventy-eight prisoners." The killed were five times more numerous.

The army of Saldanhano w

separated Miguel from the north, while the army of the duke of Terceira pressed upon him from Lisbon. No operation of any consequence, however, took place till the 18th of February, when the Miguelite army made an effort to relieve itself by attacking Saldanha in his position at Almonster. The royalist commander allowed them to execute their plan to such an extent, as brought them within the operation of the scheme which he had formed to defeat it. He permitted them to advance to a considerable distance from their own position; and to approach, and even form, till they had crossed a stream, which lay between the two armies, and a narrow bridge across which was now their only way of retreat. He then attacked them; broke across their lines with the bayonet, and compelled them to give way. They fled in confusion to the bridge which presented but an inefficient means of escape, and were slaughtered almost without resistance. The fact seems to be, that the queen's troops were following out their practice of giving no quarter, although Saldanha, while he described the carnage as something which he had never seen equalled in all his campaigns, except in the "breach of St. Sebastian," ascribed it to a different, and a somewhat singular cause. "A kind of torpor," said he, "seized the rebels. They scarcely made any resistance, and yet could not determine on surrendering; and our soldiers, enraged at such pertinacity, made a dreadful slaughter." Notwithstanding this loss, however, the enemy repeated the attack on different parts of the line, but on all they were repulsed, and were compelled to continue

to confine themselves within their works at Santarem.

Events equally favourable to the queen took place in the north, where considerable numbers of Miguelites were still in arms, though their main body had been called to the defence of the positions on the Tagus. A division of the garrison of Oporto marched from that city on the 25th of March, to clear the north of the Douro, destroying as they advanced, the works which the army of Miguel had erected during the siege of Oporto. On the 27th they entered Guimaraens, not only without opposition, but with welcomes and congratulations on the part of the inhabitants. Thence they marched, with equal good fortune to Braga, the enemy retreating without fighting into Trasmontes, and towards the frontiers of Spain. In the course of a few days, the whole province of Minho had declared for the queen. To co-operate with these movements, and aid this spirit, the duke of Terceira had marched to the north with a division of the army. In the beginning of April, he entered Lamego, in Beira, which had followed the example of the towns in the neighbouring province. The Miguelites still remaining in this quarter had intended, when driven out of Minho, to defend themselves along the line of the Tamega; but this movement behind them from the south, while the army of Oporto was in front, obliged them to retreat, after they had attempted in vain to maintain a position at Amarante. The retreat became a dispersion. The militia laid down their arms, and returned to their homes; desertions from the regular troops were

VOL. LXXVI.

daily increasing. General Santa Martha himself, who had been commander-in-chief of the Miguelite army, saw that the cause of his patron was hopeless, presented himself at the headquarters of the duke of Terceira, and made his peace with the government.

The provinces north of the Douro being thus cleared of the enemy, the duke retraced his steps to expel the partizans of Miguel from the positions which they still held between the Douro and the Tagus, particularly Coimbra on the Mondego, and Figueiras at the mouth of that river. The reduction of the latter was intrusted to a naval expedition commanded by Admiral Napier. He appeared before it on the 8th of May. On learning his approach, the garrison had evacuated the town, and the inhabitants immediately hoisted the standard of the queen. On the same day, the duke of Terceira reached Coimbra, having encountered scarcely any opposition in his march from the Douro, except at Castro d' Ayre, where the enemy suffered a total defeat. Coimbra, itself, opened its gates; and thus the dying hopes of Don Miguel could linger only in the isolated position which he occupied, or the fortresses on the Spanish western frontiers which still remained in his hands.

But it was from this very quarter that his destruction was approaching. Miguel had been doing nothing for himself; he seemed incapable of doing anything for himself, and to have nobody about him who could do any thing for him. While he allowed himself, almost without an effort to be thus shut up be-

[2 F]

tween Santarem and the Spanish frontier, a Spanish army was crossing that frontier to render his situation utterly desperate. We have mentioned in our notice of Spanish affairs the agreement by which the two queens were to unite their exertions to get rid of their competitors, the treaty in which Britain and France had joined with them for the execution of that object, and the march of the Spanish army under general Rodil to accomplish it. The appearance of that army in Portugal was even more fatal to Don Miguel than to Don Carlos, against whom it was more immediately directed. It was immediately followed by the defection of many of the places which still adhered to him, and among others of the important fortress of Almeida. The rapid march, too, of general Rodil, who found no army to oppose him, from Guarda, towards the Tagus, rendered military resistance no longer practicable. On the 18th of May, Don Miguel abandoned his lines at Santarem, retreating towards the Guadiana, in the direction of Evora. Count Saldanha and the duke of Terceira immediately crossed the Tagus to pursue him. They were at the head of 20,000 men, advancing in two columns, and in different directions. Whatever of an army still remained to him was now rapidly disbanding, for every glimmering of hope was gone, and the government was proffering an amnesty. On the 22nd of May, his general, Lemos, proposed to Saldanha and Terceira a suspension of arms for the purpose of negotiation; stating that, if that purpose was to be attained, it was necessary that the armies should not approach any

nearer to each other. Count Saldanha halted for a day, at which the government expressed some displeasure; the duke of Terceira pressed on. The government refused to enter into negotiation, or to listen to any terms different from those which had been already tendered—namely, that don Miguel should leave Portugal within fifteen days, and engage never to return to any part of the Spanish provinces, or the Portuguese dominions; nor in any way concur in disturbing the tranquillity of these kingdoms; that he would be allowed to embark in a ship of war, belonging to any of the four allied powers—that he should receive a pension of sixty contos of Reis (16,000*l.*) and be permitted to dispose of his personal property, on restoring the jewels and other articles belonging to the crown and to private individuals. The troops still adhering to him were to lay down their arms, and return peaceably to their homes under the protection of the amnesty, and he was to issue orders to commanders of fortresses, or of troops, who still recognised his authority, immediately to submit, under the same protection, to the government of the queen. The convention, by which Miguel accepted these terms, was signed on the 26th of May. On the 30th, he quitted Evora for Sines, which had been appointed as the place of his embarkation. On the 2nd of June, he there went on board a British vessel of war, which carried him to Genoa; and there immediately appeared a declaration by him, dated Genoa, 20th of June, protesting that the capitulation, into which he had entered, was null and void as an act, which he had

been compelled to sign, in order to prevent greater misfortunes, and spare the lives of his faithful subjects. "My acquiescence," said he, "in all the stipulations imposed upon me by the preponderating forces confided to the generals of the two governments now existing in Madrid and Lisbon, in accord with two great powers, was a mere provisional action on my part, for the purpose of saving my subjects in Portugal from misfortunes, which the just resistance I might have made would not have spared them, having been surprised by an unexpected and unwarranted attack from a friendly and allied power."

The civil war being thus happily brought to an end, and the authority of the queen acknowledged all over the kingdom, Don Pedro issued a decree, convoking an extraordinary meeting of the Cortes, to assemble on the 15th of August. The peers, who had signed the representation to Don Miguel, which preceded his dethronement of his niece, were excluded from their seats in the upper Chamber. Without the intervention of the Cortes, however, the government had been adopting legislative measures of great moment. In March there appeared a decree, which declared the ports of Lisbon and Oporto free to the merchant vessels of every country not at war with Portugal; all kinds of merchandise and articles of commerce, wheresoever produced, or under whatsoever flag imported, were to be admitted into them for deposit, and were to be allowed to be freely-exported, subject only to the payment of a duty of one per cent, and of some necessary charges; and every law contrary to

this edict was, in consequence, to be revoked.

In April, another decree was promulgated, which fixed the duties on all foreign imports at fifteen per cent *ad valorem*; a measure which deprived the British of the privileges which they had long enjoyed under the Methuen treaty, and the treaty of 1810, and reduced them to an equal footing with France. One decree abolished all the rights, privileges, authorities, and immunities of the Oporto Wine Company: another ordained "the total extinction of all convents, monasteries, colleges, and religious houses of monks of the regular orders," and incorporated their estates with the national domains. A not less striking instance of this wide, though well meant despotism was exhibited in the sudden change effected in the state of the currency. In the year 1798, the Portuguese government commenced the issue of paper notes of various amounts, from 1,200 reis to 20,000 reis each, payable one year after date with interest; and the currency of the country was established by law, half in these notes, and half in metallic coin. Within two or three years after they were first issued, the government ceased to exchange coin for their notes, or even to pay interest; and the consequence was, they fell to a discount, the rate of which fluctuated, being at one time upwards of thirty per cent, and at no period within the last twenty years lower than fifteen per cent. In July, 1834, the discount was twenty-six per cent. Commercial accounts had been kept in this currency, and it had formed the basis for all transactions, unless excluded by special agreement.

On a sudden, a decree came forth, dated the 23rd of July, the first two articles of which were as follows:— “ 1. Paper money shall cease to be circulated after the 31st day of August; from that period all payments shall be made in specie current in this kingdom. “ 2. From the day specified in the preceding article, all bearers of paper money may present it at the treasury of the Bank of Lisbon, where they will receive its amount in specie, with a discount of twenty per cent:” and it concluded with the usual appendage to don Pedro’s ordinances. “ All laws contrary to these arrangements are revoked.” The injustice of compelling contracts entered into previously to be fulfilled by payments in specie, at the same time that the government refused to redeem at par its own depreciated paper, was obvious. If a merchant had bought in June 100 pipes of wine for a certain amount in currency, at a credit of three months, and accepted a bill for the amount due in September, the new law compelled him to pay the full amount in metallic coin, instead of the depreciated currency in which the contract had been made: he would be a loser of ten per cent, but for this change, the paper money, in which one-half of the sum would have been paid being worse than coin by twenty per cent. Against so unequal a measure the merchants, both of Lisbon and Oporto, petitioned the finance minister: demanding, that on all contracts made previous to the 1st of September, when the new law was to come into force, creditors should be compelled to receive payment in the old currency, or its equivalent—namely, ninety per cent in metallic cur-

rency. But all their petitions and remonstrances were fruitless.

On the 14th of August, the extraordinary session of the Cortes was opened. In the speech, which Don Pedro addressed to them from the throne, he drew a flattering sketch of the series of events, which had made the cause of Donna Maria triumphant; and, after adverting to the foreign relations of the government, proceeded to direct the attention of the legislature to what had been done, and remained to be done for the prosperity of the kingdom. “ After having shown you,” he continued, “ in a short but faithful sketch, the principal events of a period, which for so many reasons will prove an era in the history of Portugal, and having shown you what has been done to restore the nation, and to raise it from the deplorable state of depression, to which it has been reduced by the errors and crimes of the usurpation, I must recommend to you, which I do with the most entire and unlimited confidence in your zeal, the two principal objects which now call for in preference the attention of the Cortes—namely, 1. Whether the regency ought, or ought not to be continued during the remainder of the queen’s minority. 2. To take the proper steps that her majesty may marry some foreign prince. Your consummate wisdom and prudence will deliberate and decide upon both points with the discretion which may be expected from the union of so much knowledge, and a happy association of the most estimable virtues.

“ It is also necessary to fix the amount of the force by sea and land, conformably to article 15, sec. 10, of the constitutional chart-

ter, having respect to the circumstances and internal state of the country, and not losing sight of the peculiar situation in which the neighbouring and allied nation may be placed, where a prince pretending to the throne is come again to revive the almost extinguished flames of civil war.

“ Besides these objects many others claim your attention. The laws regulating the liberty of the press, the responsibility of the ministers and public officers, the inviolability of the residence of the citizen,—the law which is to regulate the use and the employment of the property of the citizen for the benefit of the public, and the indemnity which is previously to be given him for it, according to article 145, sec. 21, of the charter,—the organization of public instruction and study in all their branches,—the pious and charitable establishments,—the laws for the protection and promotion of manufactures, commerce, and arts, and of agriculture, which is the queen of them all,—the measures for improving the situation and administration of our transmarine dominions, from which so many inestimable advantages, hitherto overlooked or despised, may be derived,—everything, in short, that the charter prescribes or recommends,—all that public necessity requires, and all that may contribute to the prosperity of this honourable nation, and to restore its ancient glory and greatness, must deserve the zeal and labour of the Cortes.”

In the chamber of deputies the ministers of Don Pedro found a tolerably tractable majority; but in the upper house they were deficient in strength; and even on the address, an amendment moved

by count Taipa was carried against them. At the opening of the session there were only fourteen peers who attended the sitting of the upper chamber; but on the 1st of September Don Pedro added twenty-four to their number.

One of the first proceedings of the legislature was, to consider how the executive power should be exercised during the minority of the queen. The committee, appointed by the deputies to take this question into consideration, recommended unanimously that the regency should be conferred without restriction on Don Pedro. This suggestion was acceded to by the deputies, by a majority of ninety to five. In the peers two amendments were moved, proposing certain restrictions on the authority of the regent, one by the marquis of Loulé, and one by count Taipa: both were rejected, one by a majority of nine to four, and the other of ten to thirteen; and on the 28th of August, the measure was passed in the form in which it had been adopted by the deputies.

But it was not the fate of Don Pedro to exercise long the powers of royalty thus conferred upon him. Before the meeting of the Cortes, he had been ailing; towards the end of August his health seemed to improve; but the improvement was only apparent and of short duration; and apprehensions for the result of his illness began to be entertained. On the 18th of September, he sent to the chambers a message in which he informed them that, having on the preceding day complied with the holy rites which the church provides for the consolation of her dying sons, he could no longer attend to public

affairs, and recommended them to adopt such measures as the occasion might require. This message gave rise to a difference of opinion. According to the old laws of Portugal the minority of the sovereigns ceased with their entrance into the fourteenth year of their age; but the charter had fixed eighteen as the period of their minority; and as Donna Maria had not yet attained that age, she could not, according to the letter of the constitution, be admitted to the exercise of the royal prerogative. The ministers were afraid of permitting power to devolve into any other hands than those of Donna Maria; they argued that the clause in the charter was one which the Cortes might dispense with; that the queen, by the development of her mind and her body, was perfectly qualified for the discharge of the duties of government; and they, therefore, proposed that she should be declared of age, and should immediately enter upon the exercise of the powers which the constitution intrusted to the crown. Others, among whom were the marquis of Loulé and counts Villa Real and Taipa, resisted the proposition, and contended, that until the queen attained her eighteenth year, the regency should devolve according to the charter, on the Infanta Donna Isabel Maria. The former prevailed; the decree of the Cortes, framed according to their views, was communicated to Donna Maria; and on the 20th of September she attended in the hall of the Cortes, and took the oath which the constitution prescribed.

On the 22nd, Don Pedro expired; having, during the latter years of his life, acted a part which the earlier

stages of his career gave the world little reason to expect. Deprived of the advantages of regular moral and intellectual discipline in his youth; removed in a great measure, from the restraints of old established European forms of society, and installed in the possession of arbitrary power, before experience or reason had imposed any check on his passions, he merits less to be censured for the extravagancies, vices, and follies, of which he was guilty in Brazil, than to be respected for the energy, perseverance, and disregard of danger, suffering, and toil, which he manifested from the moment of his landing on the shores of Portugal, on the 8th of July, 1832.

The first care of the queen was the formation of a ministry. Carvalho and most of the former ministers were retained; reinforced, however, by some of the more moderate constitutionalists, among whom were the duke of Palmella and count Villa Real. Palmella had no particular department of the government, but was placed at its head with the title of president of the council.

This coalition excited, as is usual with such events, great clamour amongst those who were not included in the official arrangements. The standing committee of infractions of the charter took upon themselves spontaneously to report to the chamber of deputies, that the appointment of the duke of Palmella to the presidency of the council of ministers, when he had no particular department intrusted to his charge, was contrary to the spirit of the constitution, and would, in fact, confer on him a character of inviolability which belonged to none but the sovereign. The friends of the

ministry objected to take this report into consideration; because the committee had taken upon themselves to report on a matter which had not been referred to them; and, after a stormy discussion, it was held by a majority of five that the report should not be received. But the question of the legality of placing at the head of the ministry an individual, who had not the specific charge of any particular department of the administration, was formally brought before the deputies on 31st of October; and after a debate of two days, was decided in favour of Palmella, by a majority of fifty-three to forty-two.

An affair still more important to the young queen than the appointment of a ministry, was the selection of a husband. On the 1st of September, a resolution was moved in the chamber of deputies, that Don Pedro should have power to arrange a marriage between his daughter and some foreign prince, subject, however, to this limitation—that the marriage should not be carried into effect without the approbation of the Cortes. The resolution was carried in the deputies by sixty-seven to twenty-seven; and in the peers, by twenty-three to six. The duke of Leuchtenberg, the son of Eugene Beauharnois, and the brother of Don Pedro's wife, was the selected husband. The sudden death of Don Pedro occasioned some delay in the completion of the arrangement; but on the 1st of December the marriage of the queen to this prince was celebrated at Lisbon by proxy; and the solemnity was accompanied by great rejoicings.

In the meantime a bill to exclude Don Miguel and his descend-

ants from the throne of Portugal had been passed by the deputies without one dissentient voice, and had received the sanction of the peers. The following were the principal enactments:—The ex-infante, Don Miguel, and his descendants were for ever excluded from the succession to the Portuguese crown: he and they were for ever banished the Portuguese dominions, deprived of all political or civil rights, and precluded from possessing or acquiring any property in Portugal: should he or they venture to enter the Portuguese territories, they, and all who accompanied them, were to be considered guilty of high treason; they were to be tried by a council of war, composed of a president and four other members; the whole process was to be verbal, and was not to last more than twenty-four hours; and when convicted, he and they were to be shot immediately. Such individuals, as joined them after their arrival within the kingdom were to suffer death. Any inhabitant, who met the ex-infante within the Portuguese territory, might kill him, and was to receive a reward of ten contos, equivalent to about 2,500*l.* sterling, for the delivery of his body. The like reward was to be given to any one who handed him over alive to the authorities; and any public functionary, who neglected to apprehend the usurper, was to be punished with death.

Another measure, adopted with a view to give permanence to the new order of things by increasing the number of persons whose interests were bound up in it, was the sale of the national domains, including that part of the property of the Church which had been

confiscated. By the law, which was passed on this subject, landed estates were directed to be divided into as many lots as possible, in order that the facility of purchasing might be increased; and the purchaser had the option of a variety of modes of payment. The government securities were to be received in payment at par, whatever their value in the market might be; the same privilege was extended to a great variety of titles, giving the holders pecuniary claims against the government; and that the poor might be enabled to buy as well as the rich, it was sufficient if twenty per cent. on the purchase money were paid in cash, and the remaining four-fifths in the course of the next sixteen years, by annual instalments of five per cent, with interest at two per cent per annum.

The measure for the substitution of a metallic currency for the paper currency, which don Pedro

had announced by his decree, was brought forward in the shape of a law. It received various modifications, the most material of which was, that prior contracts should be liquidated according to the terms on which they were contracted; and it finally received the sanction of the legislature with very little opposition.

On the 4th of November, M. Silva Carvalho presented the financial budget of the year, from the 1st of July, 1834, to the 30th of June, 1835. It showed a deficit of 5,333 contos of reis (about 1,280,000*l.* sterling); but it was expected that a sum would very shortly be received in part payment of the debt due by the Brazils, which would reduce the deficit to 2,971 contos of reis, or about 720,000*l.* sterling. The budget amounted to 12,549,270,912 milrees, equal to about 3,160,000*l.* sterling, and consisted of the following items:—

Casa Real (Royal-house)	405,000,000
Legislative Chambers	67,000,000
Ministry of the Interior	1,115,342,499
Ditto of Finance,—interest, and sinking fund in Portugal	1,976,580,871
Ditto, other expenses of this Department	1,207,601,554
Interest and sinking fund on the loans contracted in England, which become due in the course of the year,* 551,143 <i>l.</i> 6 <i>s.</i> 4 <i>d.</i> which, at the exchange of 56 <i>d.</i> , amount to 2,362,143,785 rees.	
Ministry, or War Department	3,897,855,018
Marine Department	1,280,783,320
Foreign Department... ..	316,725,054
Ministry of Justice and Church Affairs	670,318,909
Provinces beyond the Seas	1,611,964,384
Total expenditure	12,549,270,912

* This amount was to be payable by Portugal only in the event of the Brazilian government failing in its payment.

REVENUE.

	MIŁŁAKS.
Provinces of the continent	6,877,494,869
Provinces beyond the Seas	1,482,236,034
Receivable still from the loan contracted 16th September, 1833, in London, 284,288 <i>l.</i> 5 <i>s.</i> 1 <i>d.</i> , at 56 <i>d.</i> ...	1,218,378,250
	<hr/>
	9,578,108,558
Deficit... ..	2,971,162,859
	<hr/>
	12,549,270,918
	<hr/>

The minister did not propose to lay on any new taxes; for he hoped, that, at no distant period, the increasing prosperity of the country would render the *decima* alone sufficient to answer all the wants of the state. In the mean time, all that he required to cover the deficit was, that the chamber, besides sanctioning the law for the sale of national and church property, should authorise the government to take an interest of ten per cent in any undertaking of private responsible individuals or companies for the repairing or construction of roads, canals, improvement of harbours and ports on the coasts, directing the course of the rivers, or for any other purpose of public utility; to grant charters for the establishment of banking companies in four capitals of provinces, for the purpose of granting loans of money to the farmers and manufacturers, with the privileges not exceeding those of the bank of Lisbon, and reserving to the bank of Lisbon the option, in the first instance, of establishing such banking companies: and, to adopt such measures, as it might deem expedient, for the consolidation of the national credit, without increasing in any manner the charge to the public treasury.

The pecuniary wants of the

administration, though the only, were but a poor excuse for the mode in which they treated the British volunteer auxiliaries, by whose aid chiefly the cause of the queen had been made triumphant. They had been induced to enter into Don Pedro's service by promises of pay equal to that of England, exclusive of allowances for compensation and other advantages. The difficulties, which for a long time confined the progress of Don Pedro to Oporto, having disabled him from fulfilling his engagements, the officers and soldiers were content to be paid in the meanwhile at the rate of the Portuguese service, leaving the arrears to accumulate till the end of the war. The regiment of British lancers voluntarily renounced their British rate of pay till the army should arrive at Lisbon; and they received Don Pedro's thanks in a printed order of the day, for setting such an example of disinterestedness to his army. When the campaign had begun before Santarem the Portuguese government proposed to the British infantry new terms, which were signed by the minister at war, marshal Saldanha, who pledged himself to their execution, and by the adjutant-general. These were, that, from the 1st of

January, 1834, the British should receive only Portuguese pay; that upon leaving the service, after the war, they should receive certain compensations, and that, in the mean time, their arrears up to the 31st of December, 1833, should be paid in bills, half at three months' date, payable in March, 1834, and the remainder at nine months, payable in September. The English officers, having discussed these propositions, consented, though reluctantly, to accept them. The regiment of lancers were to go on Portuguese pay, on condition of their arrears to the 31st of December being immediately paid.

The war came to an end; the arrears due to the British troops still remained unpaid; and the men, on whose bravery the sole dependence was placed when danger threatened, were left to wander through the streets of Lisbon in rags and poverty, without pay, and prolonging a miserable existence on scanty rations of beans and bread, with the occasional addition of a morsel of salt fish. Such are the rewards which await adventurers or zealots, who hire themselves out to be the mercenary supporters of foreign revolutionary governments.

CHAP. XV.

HOLLAND and BELGIUM. — *Political relations between Belgium and Holland—Disputes connected with Limburg and Luxemburg—Interference of the commanders of the fortress of Luxemburg to stop the proceedings of the Belgian functionaries—Opening of the States General—Speech from the throne—Budget—Votes of the States General—France—Riots in Brussels—Acquittal of the rioters—Commercial subjugation of Belgium to France—Change of ministers in Belgium—Votes of the Belgian Chambers—SWITZERLAND—Invasion of Savoy by Polish refugees—Conduct of the Swiss cantons in reference to these disturbances—Representations of the neighbouring states—Proceedings of the democratical faction in Switzerland—Meeting of the Swiss Diet—Parties in the Diet—Discussion as to the Polish refugees—Application of Neuchatel to be severed from the confederation—Discussions as to the revision of the federal pact of Switzerland—Miscellaneous proceedings of the Diet—The termination of its session.*

THE political relations between Holland and Belgium continued in the same state of uncertainty, in which they had been left at the close of the former year. The king of Holland, yielding to the remonstrances of France and England, applied to the collateral branches of the house of Nassau and to the Germanic Diet for their assent to his cession of part of the grand duchy of Luxemburg; at the same time stating, that he could not give to either any indemnity in territory. On the 18th of January, the duke of Nassau, and his brother, prince Frederick, refused their consent: and the Germanic Diet declined to depart from their established principle, of not ceding any part of the territory included in the confederation without a territorial equivalent. An equivalent, England and France said, might easily be found in Limburg. The

Dutch replied, that Limburg was left to them as an integral part of Holland, and was not to be separated from Holland, in order to be exposed to the chance of becoming eventually a part of Nassau, or of the Germanic empire. They said, that by the 12th protocol, containing the basis of the separation, and declared by the protocol of the 19th of February, 1831, to be fundamental and irrevocable, it was fixed, that there should be a complete and uninterrupted communication with the towns and places in the respective territories of Belgium and Holland. To comply with this principle, Holland consented to the eventual cession of the towns and places on the left bank of the Meuse, in the province of Liege, which belonged to the ancient territory of the United Netherlands. The same principle should be acted on reciprocally,

was to annex Holland by a Dutch territory with its ancient possessions on the right bank of the Meuse, and especially with the fortress of Maastricht: and this would not be done, if Limburg were, at any time, severed from the Dutch crown. In fact, to offer Limburg to the king's collateral, and to the German confederation, as an indemnity, would be to give it to them at the expense of Holland.

Great blame was imputed to the king of Holland, on account of the procrastination of these negotiations: for the rule laid down by France, and humbly subscribed to by England was, that Holland was to yield every thing and Belgium nothing. Belgium might become part of France; it was open at all times, to be overrun by the armies of France; and the gratification of Belgian pride, and the humiliation of Holland, at the same time that it augmented the present dependence of Belgium on her ambitious and unprincipled neighbour, added to the value of the prize which that neighbour might hope, ere long, to seize.

If the king of Holland was blamed for not doing what he could not do, it is not surprising, that he should also be blamed for doing what he did not do. By the treaty of the 21st of May, in the preceding year, the duchy of Luxemburg was to continue in *statu quo*, till a definite arrangement was concluded; the fortress, which was occupied by Prussian troops, commanded by general Du Moulin, a Prussian officer, remaining in the possession of the garrison, the legal radius of which had been fixed by a former treaty at four leagues, and the Belgians ining possession of the rest of luchy. This arrangement was

intended merely to provide for the temporary possession and occupation of the country, and was not meant to authorise the Belgians to treat the districts, of which they had then the temporary occupation, as their own absolute dominions. The Belgians, however, resolved to act as the absolute owners of the duchy. Accordingly, in the beginning of the year they proceeded to call out the militia, and to order timber to be felled in the forests of the crown, even within the radius of the fortress. On this the governor, Du Moulin, interfered, and finding his prohibitions disregarded, he sent out a detachment of 1,000 men who seized a M. Hanno, the commissary of the Belgic government for raising the militia force, and confined him to a prison in the fortress. Great and loud was the outcry, which these proceedings excited,—not against the German confederation of which Luxemburg was a part,—not against the king of Prussia, whose officer, and whose troops had perpetrated the supposed enormity—but against the king of Holland, whose only connection with the matter was, that Luxemburg had once been his. The Belgian deputies blustered in their usual tone; and the support of France and England encouraged the government to insult Holland. Nay more, these two complaisant allies required of the Germanic Diet, that M. Hanno should be released; that the proceedings of general Du Moulin should be disavowed, and that he himself should be removed from his post. There had been no intention of detaining M. Hanno, and the diet had ordered him to be released, before the

notes of the ministers of England and France had been presented. But both the Diet and the king of Prussia approved of the conduct of the general; and the diet not only refused to permit the Belgians to exercise within the radius of the fortress those powers, the usurpation of which had given rise to the contest, but declared their determination to occupy if necessary, with their troops the whole of the German part of the duchy. The Belgians yielded.

On the 20th of October the session of the States General was opened by the king with the following speech:—

“High and Mighty Lords,—It is most agreeable to me to be able to inform your high mightinesses at the opening of this session, that our relations with foreign powers are satisfactory, and that I continue to receive from many, testimonies of sincere friendship. I have been constantly deceived in the just expectation and final arrangement of the rights and interests of Holland, which have been so undeservedly injured by the Belgian insurrection.

“The unforeseen obstacles in the progress of the negotiations, and which, notwithstanding the efforts that have been made, it has not been in my power to remove, have made me consider of measures to lighten, as far as possible, the burden which this state of things brings on my beloved subjects.

“With this view very extensive furloughs have been given to the schuttery. The inclination to exercise, the discipline, the courage, and perseverance in which they have constantly emulated during the time of their service the regular army and the militia, and the sentiments which they manifested,

amidst the unanimous acclamations of their countrymen, on their return to their homes and their ordinary occupations, are pledges for the zeal with which at the first summons they will again be ready at the first call for the combat, and hasten to any place, where their presence may be necessary to defend the honour, the safety, and the independence of their country. “Meantime these furloughs, in which the volunteers in the navy participate, have effected a reduction in the extraordinary expenses of the kingdom, which authorises a hope that the expenses for wants of this kind will not make any augmentation of the burdens necessary next year.

“The internal administration has gone on regularly in all its branches, and the government has been seconded by the local and other authorities. All the attention continues to be given to the public instruction that the importance of the subject requires, and that circumstances allow. The desire to protect the sciences and the fine arts does not abate. Though the dikes and sea-banks suffered much by the storms of last winter, we have reason to be grateful for having been preserved from the apprehended great breaches of the dikes and inundations. The internal sources of prosperity are in an encouraging condition. While trade and navigation continue to recover from the shocks, which, like those of other countries, they have sustained in consequence of political and other events, it is satisfactory to see that our important fisheries, on the whole, maintain themselves.

“In other branches of national industry, a constant improvement is perceived; many manufactures

formerly established in Holland are revived and extended. The low price of corn has had an influence on the agriculture of Holland, and it participates in the fate which that branch of national prosperity experiences in other countries. The measures which may be calculated, in conjunction with other interests, relative to the farmer and the landowner, to improve their prospects, are the constant objects of my consideration. The arrangements, which I have made in the East-Indian possessions of the states, have afforded perfectly satisfactory results. These possessions are now able to fulfil their pecuniary obligations, and there is every reason to suppose they will continue to do so. The increase of the produce of these possessions has a beneficial influence on the navigation and trade of the mother country, while, on the other hand, the efforts to provide for the wants of our Indian possessions by means of our own productions are encouraged. The interruption of tranquillity in part of the island of Sumatra leaves no ground for apprehension, since the adoption of the measures that have been ordered. In the remainder of our Indian possessions perfect order prevails. The West-India Islands enjoy the same advantage.

"I am happy to be able to assure you that the revenues of the state have, on the whole, answered our expectations.

"Public credit, founded on the strict fulfilment of our obligations and on the tried good faith of Holland, is more and more consolidated.

"The budgets for the next year, which are ready to be laid before your assembly, will show your high mightinesses, that, not-

withstanding the difficulties that still surround us, we endeavour to make the accomplishment of your wish and mine—the rendering the revenue of the kingdom equal to its expenditure—go hand-in-hand with some relief to the payers of taxes.

"The projects of law for revising some parts of the commercial code, which were not completed in your last sessions, will be presented to you in the present, with the improvements which have been suggested by a careful examination of the preceding discussions.

"Besides this, it will be practicable to lay before you the greater part of the commercial code relative to maritime affairs, and I entertain a hope that the improvements in the law relative to the organization of the judicial power may also be laid before you in the course of this session.

"I am convinced that your assembly, appreciating the great importance of completing the national legislation, will zealously co-operate with me to accomplish it.

"In the midst, therefore, of the agitation which prevails in other countries, imploring the divine blessing, and proceeding calmly and unanimously in regulating our internal interests and consolidating our institutions conformably to the wants and the spirit of our nation, we shall thereby show that we are the true leaders of the faithful people, who, calm under numerous sufferings, and alien from a love of novelty, beholds in firmness, unanimity, and attachment to order and law, the genuine marks of love for the country."

The address to the king, in answer to his speech was, after a debate of two days' duration, with closed doors, voted by the second

chamber of the States-General on the 28th of October, with some modification of the original draft. In reference to that passage in which his majesty expressed his regret at being disappointed in his expectation of a final arrangement with Belgium, Mynheer Van Dam Van Isselt moved, as an amendment, that his majesty should be requested to make to

the chambers some diplomatic communications on that subject. The amendment was, after long debate and a division, carried by 28 to 16. Another amendment, calling for the revision of the constitution, was moved in a secret sitting by Van Dam Van Isselt, and was negatived by 28 to 10.

The Dutch budget for 1834 was as follows:—

	FLORINS.
Civil List	1,425,000
Secretary of State and High Colleges	571,903 58c.
Foreign Affairs	1,121,378
Department of Justice	1,144,500
Department of the Interior	2,926,000
Department of Reformed Worship, &c.	1,330,000
Department of Roman Catholic Worship... ..	400,000
Department of the Marine	6,500,000
Finances. National Debt	21,225,000
Department Expenses, other branches of Administration, pensions, &c.	5,149,047
War Department	12,100,000
	<hr/>
	53,892,828 58c.

When the land-tax law for the year 1835 was brought forward, objections were made not only to the extent of the burden, but to the mode of its distribution, which, in the opinion of many, was unfair to different districts. On the 10th of December the chamber came to a division, when the law was rejected by 44 to 8. This rejection of a government measure would be a remarkable event in history of the States-General, if it had not been the result of a compromise. Having been made acquainted with the points objected to by the discussions in the sections, the minister of finance, though he defended the law, gave it to be understood that he was willing that alterations should be

made in the plan, and that the amount should be reduced to 416,000 florins. Under these circumstances, it was thought advisable to let the law then before the chamber be rejected, and to introduce an entirely new measure.

On the 23rd of December, the second chamber of the States-General adjourned to March, after agreeing to the budget, the law relative to the debt, and that for ways and means. The first two measures were carried without a dissenting voice; the third by a majority of 49 to 2.

The internal affairs of BELGIUM did not exhibit much interest during the present year. In November, 1833, the legislature had

met ; when the king flattered the legislature, and the legislature flattered the king, in the fulsome and senseless addresses which are usual between demagogues and representatives of the rabble. Fortunately, however, an opportunity was offered in the course of the year for the display of Belgian patriotism and valour. In March some horses, belonging to the prince of Orange, which he had left behind him, were put up to sale ; they were bought by some of the partisans of the house of Orange, in order to be sent to him ; and a subscription was entered into to provide the price. It seemed good to the republicans, that the partizans of Orangeism should be punished ; and, accordingly, after some previous manifestations of disturbance, the populace proceeded on the morning of the 6th of April (Sunday) to force and sack the houses of the duke d'Ursel, and the prince de Ligne, and other persons, accused and suspected of being Orangeists. Soldiers, though present, interfered only to prevent plunder, but made no attempt to prevent devastation. Many of the lookers-on, particularly the English, cried out "Shame on the Government," and many did not scruple to allege that the ministers not only encouraged, but paid the pillagers. At half-past 10 the minister of justice wrote to the military commandant of the province, colonel Criquillon, requiring him to put a stop to the excesses which were going on, and informing him that, although in the absence of the municipal authority, military force could not be employed against the mob, yet the law authorized every citizen to arrest those who threw stones and broke windows or fur-

niture. About the same time the minister of the interior wrote to the several generals of the civic guard, to say, that the non-appearance of that force led him to suppose they had not received the necessary requisition from the local authorities : and he called on them to assemble the different legions, and to act with promptitude and energy in repressing disorders by every legal means. Notwithstanding these warnings, the devastation went on ; house after house was sacked. At length the council of ministers took upon themselves, at 2 o'clock, to issue a proclamation, declaring that the whole authority for repressing the disorders was placed in the hands of the military force, which would be justified in acting independently of the municipal authority ; and a proclamation from general Hurel, to whom the chief command was confided by the minister of war, was at the same time posted up, declaring that, in case of riot or resistance, the soldiers would use their arms. In spite of this, houses were sacked as late as 5 and 6 o'clock. At these riots had been the occasion of great scandal, it was deemed decent on the part of the government, which had shown so little energy in checking them, to be very diligent in prosecuting the rioters. Accordingly great numbers were arrested as having been concerned in the disturbances, and 73 of them were brought to trial. Of these some were accused of having instigated the others to be active in the riots. The prosecution against ten out of the number was abandoned, before their defence was entered on, and the public accuser also declared that against 34 others he could not make a suf-

cient case, while, with regard to 10 more, there were extenuating circumstances, which induced him to dwell very lightly on the charges preferred against them. Thus 54 out of 77 were absolved from the accusation even without running the risk of the verdict of a jury; and the public prosecutor, in fact, singled out only two or three—the author, the printer, and the distributor of a pamphlet which had been supposed to excite and encourage the pillage. Of course they were acquitted, when no case had been made against the actors in the disturbances, which, it was alleged, they had promoted.

Of the many discussions which occupied the chambers, and which appeared prolonged simply to gratify the loquacious vanity of the members, there was one which deserves to be recorded as significant of the subjugation of Belgium to French influence. It had been proposed to raise the duties on the importation of linens to 10 per cent, about double the previous impost. These linens were introduced mainly from Germany, but partly from France; and there was introduced into the law a clause exempting the productions of the French loom from the additional tax, which was carried by a majority of 48 to 15. Such is the government, for the sake of which England abandons its most ancient Protestant allies, and clings to the tools of anti-Christian France.

In the beginning of August a change in the Belgian ministry took place, for no reason that could be discovered except simply because the members could not control the chamber of representatives. Lebeau, Rozier, and

Duviver resigned, and were replaced by the equally distinguished names of M. Ernst, M. De Theux, and baron d'Huart. Of these the most eminent was M. Ernst; and his claim to distinction was, that he was a professor of the University of Liege, and had devised a project of law on public instruction. His disregard of the practical duties of his proper employment may, perhaps, have enlarged his theoretical views.

On the 11th of November, the new session of the chambers was opened with a speech from the throne, abounding in the usual common places, and recommending improvements (that is to say, changes) in divers branches of legal procedure and pleading. A complimentary answer was returned, and the subsequent votes in the chamber of representatives seemed to indicate that the government and the demagogues were in more perfect harmony than they had been previously. A vote, increasing the taxes by 10 per cent, was carried by sixty-eight to ten. The budget of ways and means, amounting to 92,380,640 francs, was adopted by a majority of eighty to four. The project of law fixing the numbers of the army at 110,000 men, besides the civic guard, was carried by eighty-three to three votes.

SWITZERLAND, in the present year, had her foreign relations involved in some difficulties, without any fault on the part of her federal governments. In the preceding year a body of between 400 and 500 Poles had left France, and taken refuge in the canton of Bern, where they were hospitably received: subscriptions being raised for those who stood most in

need of assistance. In January 1834, some hundreds of the refugees, having suddenly left their places of residence, and provided themselves with arms, proceeded by small parties to the Canton de Vaud, and assembled in the towns on the banks of the Lake of Geneva, especially Nyon, where they disclosed their intention of making an attack on the opposite coast of Savoy. The government of Vaud issued strict orders to the local authorities to stop them and disarm them. But the authorities were either tardy or were not supported by the citizens; for in the morning of the 1st February, 150 refugees seized at Nyon a barge loaded with timber, threw the deals overboard, embarked for Savoy, and landed near Hermance, at the extremity of the territory of Geneva, bordering on the Piedmontese States. There they were met by troops despatched by the government of Geneva, who arrested the refugees, seized their arms, and sent them back in their boat to the Canton de Vaud. Other parties of refugees, who endeavoured to embark at Ouchy, and other points of the lake, were prevented by the authorities of Vaud. In the meanwhile, the main body of the refugees, under General Romarino (a Genoese by birth, naturalised in Poland) had entered the canton of Geneva on the opposite side, and avoiding the town of Geneva, assembled at Carouge, a village near the frontiers of Savoy, on the high road to Chambéry, where they distributed proclamations among the people announcing that "the great day of Savoy being arrived, and that they were marching to overthrow the throne of Charles-Albert, and to conquer

liberty, equality, and fraternity." The Savoyards, however, remained quiet. The refugees, on the 2nd of February entered the villages of Annemasse and Villegrand, disarmed the custom-house posts, and took the direction of Thonon, where there was but a feeble garrison. The day before, another body of refugees, chiefly Italians, had sallied from Grenoble, and made an attempt on another part of Savoy by the great road from Lyons to Chambéry. They entered the village of Echelles, but were attacked by Piedmontese troops from Chambéry, and, after a sharp engagement, were obliged to retire again into France, where they were disarmed. Under these circumstances, Romarino, being watched by a body of Piedmontese troops from St. Julien on his flank, and finding that the Savoyards remained quiet, and that the reinforcements he expected had not arrived, fell back on the neutral territory of Geneva. There the refugees laid down their arms; and were ordered to be marched through the canton under an escort of militia, into Vaud, whence they had come. But a number of the people of Geneva surrounded them, and led them with acclamations through the town back to their former quarters at Carouge: and it was not without difficulty that the government of Geneva succeeded in sending them out of the canton, after several tumults had taken place in the town between the favourers of the Poles and the authorities. At last, the refugees were all sent back into the canton of Vaud: but the government of that canton ordered them to be escorted back into Bern, whence they had come; and on the other hand Bern re-
fused

ed to receive them. The affair was referred to Zurich, the directing canton, and, after long and angry negotiations, Berne at last consented to receive back the refugees, on condition that Geneva and Vaud should pay part of the expenses of their support.

Independently of the expense and alarm which this affair occasioned to the cantons of Geneva and Vaud, other inconveniences followed. The Sardinian government made strong remonstrances to Geneva, Vaud, and the directing canton, on the danger of allowing an armed conspiracy to be formed on the neutral ground of Switzerland against the tranquillity of the neighbouring states, and required guarantees that no such infraction of the law of nations should occur again. The courts of Austria, Prussia, and the German diet, made similar representations. The substantial reasonableness of these demands could not be disputed; but some of the diplomatic notes were expressed in an imperious tone, and demanded the dissolution of the patriotic associations which were said to have favoured the Poles, and the trial of such Swiss as were implicated in the expedition against Savoy. Zurich conducted the negotiations with the foreign ministers, and displayed considerable skill, united with moderation and firmness. The negotiations lasted several months. The great points were, in what manner the refugees, who made the attempt on Savoy, were to be disposed of, and how to prevent similar attempts in future. The German powers threatened to form a *cordon* along the frontiers of Switzerland, unless the confederation promised to take effectual measures to prevent its

neutral ground from becoming a rallying point for the disaffected of all countries, who, in a few hours, might cross the borders and carry civil war into the neighbouring states. The ultimate answer of Zurich, as directing canton, dated the 24th June, after asserting the principle 'that every independent state has the right of admitting foreign fugitives, and protecting them while they conduct themselves peacefully,' acknowledged that "it is likewise the duty of every state to prevent refugees abusing the asylum granted to them by disturbing the tranquillity of other countries, and that those who so abuse the hospitality given to them should be placed in the impossibility of renewing their attempts. Agreeably to this principle of international law, continued the note, the Swiss will in future send away from their territory all those who shall attempt to disturb the peace of other states, and will prevent them returning again upon Swiss ground." This note satisfied the foreign powers, and the usual friendly intercourse was renewed between them and Switzerland.

The ultra-liberal clubs and faction in the cantons were not satisfied with these proceedings. They blamed the directing canton, Zurich, and authorities; they more especially accused its first magistrate, M. Hirzel, of weakness, want of spirit, and servility toward foreign despots, and they threatened protests and impeachment. At a meeting of four or five thousand persons, held at Zurich, resolutions were passed, disapproving of the conduct of the *Vorort*, and an address was voted, inviting all the Swiss to si

[2 G 2]

their names to a declaration that, the existing federal pact having been found to be wholly illusive and unmeaning, the will of the people was, that a constituent assembly should be summoned to frame a new one. Bern, it was urged as an argument, had taken the lead in this demand, and Bern had a population of 400,000 souls, being one-fifth of all Switzerland. At a public dinner of the federal riflemen, assembled at Zurich, and to which the members of the diet were invited, similar language was held.

The diet met at Zurich on the 7th of July. The deputies, after attending divine service in the churches of their respective communions, assembled at nine in the morning, at the house of the president, burgomaster Hirzel, of Zurich, and thence proceeded in a body to the cathedral, in which the council of state, or executive of the canton of Zurich, and the foreign ministers, had already assembled, with numerous spectators of both sexes. There the president pronounced his opening speech, recommending harmony among the confederates, calmness in their deliberations, and reverence for the duties as well as for the rights of Swiss neutrality. After this, the federal pact of 1814 was read; and the deputies having taken the oath, proceeded to the hall of their sittings, in the town-house.

Each of the twenty two cantons is generally represented by two, some of them by three deputies; but the eldest only votes in the diet: and where a canton is divided into two separate states, as Appenzell, Unterwalden, and Basle, and each division sends its deputies, ities of the two moieties

have but one vote between them; and if they do not agree, their vote is lost. In the diet of the present year, seventeen cantons were represented by two deputies each: Zurich, as directing canton, by three, including the president; Geneva and the Grisons, by three; Appenzell, Unterwalden, and Basle, by four, two for each division;—in all fifty-one members.

In the Swiss diet, the members are bound to vote according to the instructions they receive from the legislatures of their respective cantons; and these legislatures being everywhere elected on a system of nearly universal suffrage, the vote of each deputy is, in general, the expression of the sentiments prevailing among the majority of the people of his canton. They are divided into three parties. One division of the diet consists of the members, who are averse to innovation—the aristocrats, as they are vulgarly called, although they number among them the three forest cantons, the oldest democracies in Switzerland, with Vallais and Neuchatel. The left or radical party advocates the unitarian system of centralisation, and a general representation on the principle of numerical proportion;—it consists of Bern, Luzern, Basle-country, Appenzell exterior, and Thurgau. The rest form the centre; some inclining to the right and others to the left, but all averse to the unitarian principle, and attached to their cantonal independence. Upon some questions, Argau, Soleure, Glarus, and St. Gall, vote with the left, while Schaffhausen, Ticino, Zug, Basle-town, and Appenzell interior, vote at times with the right. The centre of the centre are advocates for moderation; they pro-

less to be friendly to gradual reforms, but insist that the independence of the cantons and existing treaties, should be inviolably respected: Zurich, Vaud, Geneva, Freyburg, and the Grisons, belong to this division.

On the 22nd July, the question as to the refugees came before the diet. After a long discussion, which lasted eight hours, thirteen cantons approved of the conduct of the *Vorort* without qualification; three gave a conditional approbation to it; and five and a-half cantons disapproved of it, either partly or in toto. Appenzell exterior did not vote. Bern and Luzern protested against the decision of the majority of the diet approving of the conduct of the *Vorort*, and they accused the diet of not supporting the dignity and the honour of the confederation. They maintained, that the notes of the *Vorort* had not been sufficiently energetic and explicit—that they should have been couched in a bolder tone—that they ought to have protested against the interference of foreigners, &c. This gave rise to an angry discussion, and to counter-protests from nearly all the other cantons; who, whatever might be their opinion on the refugee question, expressed their indignation at the tone which Bern and Luzern assumed towards their confederates.

On the 29th July the question of Neuchatel came before the diet. Twice the legislative body of Neuchatel presented to the king of Prussia as prince of Neuchatel, a petition, supported by a declaration of the majority of the communes, for a separation from the Swiss federal body, and for a restoration of their former condition of a mere ally of Switzer-

land; grounding their application on the incompatibility of the monarchical principles of government established at Neuchatel, with the democratic principle now prevailing over the rest of Switzerland; and twice had that sovereign discountenanced the proposed separation, and declined to take any part in it. At last the legislative body of Neuchatel, in March, 1834, addressed to the federal *Vorort*, a demand of separation, which the *Vorort* referred to the diet. The deputy of Neuchatel, in support of the demand, argued that Neuchatel was a constitutional monarchy, and as such, entered the Swiss confederation in 1814; that there was then no collision of principles in Switzerland; that a collision had since taken place, the cantons, that were formerly aristocratic, having become democratic, and not only democratic, but determined to enforce their principles upon the rest of Switzerland; that they desired to make a republic of Neuchatel—whereas the majority of the people of Neuchatel did not wish to become a republic; that this produced a conflict between the canton and the confederates, and, moreover, it encouraged dissension in Neuchatel itself; that its disaffected citizens, originally few, had made numerous proselytes, pointed to the federal colours as their rallying point; were encouraged by all the violent spirits of the neighbouring cantons, and assigned their exclusive loyalty to the confederation as an excuse for disloyalty towards their own government; that the federal flag, instead of bringing security and protection, was made a symbol of discord and civil strife; and that under such circumstances

chatel ought not to remain a member of the confederation, but should become an ally as it was before 1814.

To the prayer of this petition of Neuchâtel, the other cantons, even those of the right, refused their assent, though from various motives. Several cantons at the same time expressed a wish that Neuchâtel should be left in the undisturbed possession of its peculiar constitution; that no armed interference should be employed in its internal affairs; and no suggestions used to weaken its allegiance to the King of Prussia. On the other hand, Luzern and other cantons of the left, with Luzern at their head, proposed a counter-resolution, to the effect that the diet should induce Neuchâtel to renounce its allegiance to the king of Prussia! The petition of Neuchâtel and the motion of Luzern were both rejected.

The next important question was that of the federal pact. It was discussed in the sitting of the 4th of August. Four modes of altering the federal pact were proposed:—1st. By the convocation of a *national assembly*, elected by the people in a numerical proportion. 2ndly. By a conference of deputies from each canton, with full powers. 3rdly. By a *total* revision of the pact by the diet, or by a committee of the diet. 4thly. By a *partial* revision of the pact by the diet or a committee. On the division, thirteen and a-half cantons voted for a revision by a committee of the diet; one and a-half for a national assembly; and the rest were either against all revision, or abstained from voting. Uri, Schwyz, Unterwalden, the Vallais, Ticino, and Neuchâtel opposed all revision.

The committee was appointed; but after several sittings, the members found they could not agree upon the point of the proportional representation. They then proceeded to discuss several other suggested improvements without coming to any votes; and the committee made its report to the diet.

Several minor matters were arranged in an amicable spirit. Schwyz had been condemned to pay nearly half a million of francs for the expenses of the federal army of occupation the year before: this sum being deemed too heavy a burden for a small pastoral country, was reduced to one fourth by a majority of the diet. Five cantons, Bern, Luzern, Basle-county, Thurgau, and St. Gall voted against any reduction. It is wonderful how invariably the rule holds that the governments of the delegates of towns is, of all tyrannies, the meanest, the most unprincipled, the most stupid, and the most reckless.

The deputy of the Grisons announced to the diet, that the long-pending claims of that canton on the successive governments of Lombardy, for indemnification of losses sustained by citizens of the Grisons who had property in the Valteline, which was confiscated when Bonaparte seized on that country in 1797, had been recognised by the Austrian government; and that the amount of indemnification had been fixed at a sum of about two millions of Swiss francs.

The session of the federal diet terminated on the 6th September. "The task of the Diet," said its president, Burgomaster Hirzel, in the speech with which he closed its proceedings, "was

difficult; it had to maintain order in the interior, and peace in our foreign relations; to avoid collisions from abroad on subjects connected with some of our most valuable institutions. The diet has rejected the principles of the partisans of the league of Sarnen; it has rejected the demand of separation by Neuchatel; it has refused the creation of a federal council in lieu of the *Vorort*; it has decided, that in future Neuchatel must wear its cantonal colours. These are decisions which will acquire to the diet the gratitude of the nation. If some men will say, that the diet has made a retrograde step, they must be unreflecting persons, to whom we might reply by merely quoting our last resolution in favour of the press. Other motions for the attainment of desirable objects, it is true, have not been carried; such as the centralisation of the federal system; the uniformity of tolls and transit regulations; the definition of the guarantee of the various constitutions; and, lastly, the revision of the federal pact. Here we are at a stand. Some among us have gone far

a-head, and would not slacken their pace; others, who have remained behind, would not quicken theirs; and the rest were not sufficient to form a rallying point for a majority. And what are the causes of this result?—the very will of the Swiss themselves; their tenacity of the sovereignty of their respective cantons, which is a feeling as strong now as it ever was; the apprehension by the cantons of any authority above themselves. The smaller the cantons the greater the resistance. What are we to do to remove these obstacles? We ought to tranquillize the partisans of cantonal sovereignty, by wise definitions concerning the extent of the competence of the federal diet; we ought to render the sacrifices required of the cantons as inescapable and as light as possible; and above all, we ought not to disdain those ameliorations which proceed gradually. Many accusations are cast upon the diet, without taking into consideration its organisation; sometimes the federal pact is an obstacle in our way; sometimes we find an insuperable opposition in the very constituents of the deputies.'

CHAP. XVI

GERMANY.—*Treaty between Austria, Russia, and Prussia—Congress at Vienna—Occupation of Frankfort by the Troops of the Diet—Disputes in Hesse Cassel between the Government and the States—Hesse Darmstadt—Baden—Bavaria—Lichtenberg ceded to Prussia—German Commercial Confederation—Meeting of the Diet—Scheme for the Establishment of a Tribunal of Arbitration—POLAND—RUSSIA—GREECE—Dissension in the Regency—Change in the Regency—Military operations against the Mainotes—Insurrections in the Morea—Trial of Colocotroni and Celiopulos—TURKEY—EGYPT—SYRIA.*

IN January, in the present year, a treaty was concluded between Austria, Russia, and Prussia, by which these powers mutually agreed to deliver up, on the demand of the aggrieved state, all persons accused of rebellion or treason, or of being engaged in any plot against the throne or the government. These stipulations were not to have a retrospective operation.

In the beginning of the year a congress was held at Vienna of the ministers of the several German states. No authentic statement of the subjects or results of their discussions appeared. General report said, that their deliberations were principally directed to the consideration of how far the institutions of any single state could be allowed to clash with the acts of the confederacy, and what was the course proper to be followed with respect to the press. The proposition for the institution of a tribunal of arbitration, which was laid before the Diet towards the close of the year, appears to have emanated from this meeting.

In April, Frankfort was the scene of some disturbances. The chief actors in them were strangers collected from different parts of Germany; a considerable number of them consisting of students, animated by the principles of republican propagandism. The primary ostensible aim of the rioters was the liberation of the individuals who were in prison for taking part in the insurrection of the preceding year; the real object was to insult the constituted authorities and to take the chance of promoting the cause of democratical anarchy. The attempt was soon quelled: and, with the sanction of the Diet, a corps of federal troops, under the command of an Austrian general, took military occupation of the city, in order that its tranquillity might be secured for the future. In September a renewal of the disturbances was anticipated in consequence of the arrival of great numbers of students at Offenbach. Austrian, Prussian, and Frankfort troops were immediately put under arms, and strong patrols of cavalry

and infantry traversed the city in every direction. A battalion of an Austrian regiment was stationed in detachments from the guard-house of the parade-guard of the Zeilasfaras Schoenhausen: another battalion, with artillery, were posted at the head of the bridge, and the Darmstadt gate. The Prussians took up their position on the boulevard: three pieces of cannon charged with grape shot, were placed at the gates of the city. After two hours of great anxiety to the inhabitants, the troops returned to their respective quarters; these preparations having preserved tranquillity, if any attempt against the public peace was intended. All foreign students received orders to quit Frankfort within twenty-four hours.

In Hesse Cassel, the financial arrangements gave rise to warm contentions between the ministry and the states, who insisted on making a reduction of at least £50,000 in the army estimates. M. Mesterling, the minister of finance, endeavoured to prevent an open rupture by acceding to a diminution of £35,000 in the estimates; and it would appear that the opposition were willing to be satisfied with this concession, but his colleagues refused to sanction it, and he resigned. The states then persisted in the resolution which they had adopted as to the army budget: the members of the government on the other hand, refused to submit to them, and stated that they had been laid before the Germanic diet. The states were equally obstinate; they persisted in rejecting the budget as proposed by the government, and finally voted it with amendments and reductions conformable to the

resolution. The grand duke dissolved them and convoked a new assembly for the following January.

In Hesse Darmstadt, too, the government found itself in a minority; being supported only by fifteen votes, against a majority of twenty-four. The opposition directed their attention chiefly to the reduction of the army estimates.

In Baden a strict censorship was established; and in order to prevent the mode of its increase from being made manifest to the public eye, editors were forbidden to leave any blanks in the journals published by them.

In Bavaria, agitators and their partisans were less numerous in proportion to the whole population, and there was less tendency in the public mind to democratical ideas and sentiments; and accordingly, at the opening of the assembly of the estates, on the 8th of March, the king was received with enthusiastic plaudits. "I have been zealously occupied" said he, in his speech to them, "in forming a treaty of commerce with Prussia, Saxony, the two Hesses, and Wurtemberg. It is completed, and I announce it to you with joy, and this treaty will be a source of prosperity to Bavaria, and an additional bond to unite the Germans to each other. I hope, for the good of my subjects, that it will extend still further, and that a commercial treaty may soon be formed with the Austrian empire. Since the last session a spirit of disorder has shown itself in some parts of the kingdom, but the loyal sentiments that prevail throughout the country show to how small a faction it is confined. I am able to distinguish the vo-

of my people from that of the party which falsely pretends to be the people's representatives; this party strives to domineer, to destroy all existing institutions, and to overthrow the constitution, to which I conscientiously adhere." Yet even at Munich it was found necessary to take precautions against the insane attempts of hot-headed students, and Polish and French republican emissaries. On the night of the 4th of May, the guards at the palace and other posts were doubled, and the soldiers were furnished with ball cartridges. Numerous patrols with loaded arms traversed the streets, the public gardens, and the environs of the city. In the suburb called the Au, where there was a fair, the most alarming reports were spread, and the national guards were called out to watch the great house of correction which stands in that quarter. The reason alleged for these precautions was, that it was apprehended that an attempt was to be made to release the students and political writers who were confined in the prisons. A number of strangers were arrested by the police, but immediately set at liberty, with an injunction to quit Munich in twenty-four hours, and Bavaria in three days.

By the act of the Congress of Vienna of the 9th of June, 1815, a portion of territory in the former French department of the Saare, with 20,000 inhabitants, was to be ceded to the duke of Saxe Coburg. This territory had since been possessed by the duke under the name of the principality of Lichtenberg. Its location rendered its possession desirable for Prussia. The incon-

g the adminis-

tration of a remote district detached from the ancient territory of the duchy, induced the duke to enter into a negotiation with the king of Prussia for the cession of the principality. The negotiations terminated in a convention by which, Lichtenberg was ceded to the king of Prussia, who on his part engaged to give to the duke of Saxe Coburg Gotha an indemnity, which should secure to his highness a clear annual revenue of 80,000 Prussian rix dollars.

The announcement to the inhabitants of the principality, that they were again Prussian subjects was hailed by them with great joy, and the ceremony of taking possession, and of doing homage to the Prussian crown took place at St. Wendel, on the 22nd of September.

Hitherto Germany had been separated by as many lines of custom-houses as it had separate sovereignties, each having its own tariff, its own officers, its own fiscal regulations; and each principality in matters of trade, regarded its neighbour as an enemy, a rival, or a smuggler: guarding against the introduction of a bale of cotton or a bag of coffee with as much jealousy as against an invading force. The Diet of Frankfort had done nothing to remove this evil or to remove, by a federal code of commercial law, the impediments thus created to commercial intercourse, though the fundamental articles of the confederation imposed on it that duty. A congress of manufacturers and merchants from different parts of Germany met at Darmstadt and Tubingen in 1819, and concerted measures which they endeavoured, without effect, to press upon the diet; but the diet, probably, was not the best ap-

sembly for settling questions in which every state had distinct and conflicting interests. Commercial alliances were therefore left to the arrangement of neighbouring governments by treaties between themselves: and the first convention of this kind was that between Prussia and Hesse Darmstadt, concluded in the beginning of 1828. The inconveniences which this treaty removed were glaring, as Darmstadt lay between different provinces of the Prussian monarchy; and the benefits, which Prussia derived from it, presented an additional motive to extend its arrangements by negotiations with other states. It stipulated for an entire freedom of internal trade between the two states, and a suppression of the custom-houses of either on those points where their frontiers touched: and it established, as against foreigners, a uniform tariff, on their other frontiers; the duties being to be levied under their joint inspection, and divided in proper proportions. Wurtemberg and Bavaria, in order to remove similar inconveniences, formed a similar treaty; and in May, 1829, these two states on one part, and Prussia and Darmstadt on the other, formed a joint convention, which, though it differed in some respects from the former model, was an important step towards a uniformity of commercial regulations, and, including a considerable portion of southern and western Germany, gave Prussia an extended market for her manufactures and produce at the expense of other states. The treaty stipulated that from the 1st of January, 1830, all the indigenous productions of industry and art, belonging to the subjects of any of the contracting parties,

might with few exceptions be imported duty free from any one of their states into any other. The exceptions were divided into two classes—those which were to be permanent, and those that were to be temporary. The former were of little importance, such as playing cards, and other articles of government monopoly; the latter included nearly all the articles of staple manufactures or colonial produce supplied by great Britain, France, or other commercial states; all of which were to be admitted into Prussia at lower duties than when imported by foreigners. Thus cottons, silks, woollens, hardware, might be imported from Prussia into the confederate states at 25 per cent. less than from England or France. This reduction of duty was to commence in January, 1831, and was to be diminished gradually till the whole was abolished; when importation and exportation, as between the confederates themselves, would be duty free, whatever tariff might be established as against foreigners. Thus Prussia secured to herself in the states of her allies, a monopoly of many articles of manufacture or consumption.

Encouraged by this success, the Prussian government continued without relaxation its exertions, both by negotiations and through the public journals, to extend this commercial league, so that it might comprehend all between the Rhine and the Vistula, the frontiers of Switzerland and the Baltic. The cabinet of Berlin exercises a powerful indirect influence over the press throughout the whole of Northern Germany; and accordingly most of the journals were loud in their eulogies of the league.

The people of the several states were, from day to day, reminded of the advantage of a free commercial intercourse for 22,000,000 of Germans within 10,000 square miles, with an equal tariff for all; an advantage which, doubtless, would be most important, if it were not accompanied by the disadvantage of excluding foreign merchandise which they might have cheap, and being obliged to pay a high price for articles of a worse quality produced within the circuit of this exclusive system. On the other hand, everything which tended to impede the progress of the Prussian scheme was stigmatized as injurious to Germany. The mineral waters of Nassau form the principal article of exportation from that duchy; and from that source arises no small portion of the ducal revenues. In order to obtain an extended market for these mineral waters in exchange for French wines and silks, the duke of Nassau had concluded with France a treaty, by which, in consideration of the reduction of the duty on mineral waters imported from his dominions, he exempted for the period of five years, French wines, and French silks from any increase of duty, and further engaged that French wines and silks should participate in the advantage of any reduction of import duties which the ducal government might make during that period on the like commodities when introduced from other countries. Even so harmless a treaty as this was the subject of vehement vituperation to the partisans of the Prussian plan; because it would hinder Nassau from being a member of the commercial confederacy, till the five years had red; and because during that

period, the duchy would be a *dépôt* for French wines and silks, whence they might easily be smuggled within the limits of the confederation. So successful were the labours of Prussia, that, at the end of 1833, a final treaty, carrying into effect the objects of the commercial confederation was concluded, between Prussia, Bavaria, Hesse Cassel, Hesse Darmstadt, Saxony, and Wirtemberg. In the course of the present year, some of the smaller states sent in their adhesion; and negotiations were carried on for including Baden in the union.

The Diet met on the 30th of October. In the speech, with which count Munet-Bellignan opened the session, he directed their attention principally to the establishment of what he called an *arbitral* tribunal, to decide differences which might arise between the governments and the states, wherever the law or the constitution was insufficient for the purpose. With a view to the institution of the tribunal of arbitration, he, on behalf of the emperor of Austria, proposed to the Diet a plan, consisting of 12 articles, of which the following were the most important:—"1. In case differences should break out in a state of the Confederation between the Government and the Chambers relative to the interpretation of the constitution, or to the encroachment of the Chambers upon the rights of the Sovereign, or to a refusal of subsidies—if all legal means have been judged insufficient to put an end to the misunderstanding, the members of the Confederation undertake, that before they call for the intervention of the Diet, they will confide the decision of the

point in dispute to the above arbitral tribunal in the following manner:—2. In the formation of the said tribunal each of the seventeen members of the minor council of the states which they respectively represent, shall elect two functionaries, distinguished by their character and their intelligence, and who by many years' service have acquired sufficient knowledge—one in legal, the other in administrative matters. When the different nominations shall have been completed, their names shall be made public. These thirty-four arbitrators shall not be entitled to emolument or distinction of rank. 3. When the moment shall have arrived to apply for the decision of the arbitral tribunal, the Government intending to make the application, shall notify the same to the assembly of the Germanic Diet, upon which six arbitrators shall be selected from the thirty-four, three being named by the Government, and three by the Chamber, excluding in this case the nominations made by the interested Government, unless both the contending parties should agree to require their intervention. It is left to the contending parties either to limit their choice to two or four arbitrators, or to extend the number to eight. The names of the chosen arbitrators shall be transmitted by the plaintiff Government, and when an appeal has been agreed upon, if after the Government has transmitted to the Chambers the names of the arbitrators the list is not completed within four weeks, the assembly of the Diet shall proceed to the nomination of the remaining members. 4. The elected arbitrators will have the fact of their nominations communicated to them

by their respective governments, and be required to choose out of the remaining body a president; and in case the voters should be equally divided, the president shall be named by the Diet. 5. The acts, memorials, and documents on both sides, and which should contain a full statement of the question in dispute, are to be transmitted to the president. 6. The arbitrators, with their president, shall meet in some place determined by the contending parties or by the Diet, and they will give their verdict according to their conscience by a majority of votes." The plan met with unanimous approbation.

The special criminal tribunal, composed of Russian generals and magistrates of Poland, which was established in February, 1832, for the purpose of trying the principal actors in the Polish revolution, at last pronounced judgment: and shortly afterwards there appeared an ordinance of the emperor, moderating the punishments to which the court had doomed the accused. By this ordinance five persons who had been sentenced to death, were to be sent to work in the mines in Siberia, for 10, 15, 18, and 20 years. Many who had been condemned to imprisonment, had their periods of punishment shortened. Lieut.-colonel Charles Zillinski was pardoned. Of those who had not appeared before the court, 249 had been condemned to be hanged, 9 to be beheaded, and 7 to imprisonment and hard labour; these sentences were commuted into perpetual banishment, with a forfeiture of civil rights. All further investigation respecting the origin of the rebellion, or for the discovery of participators in it, and all prosecutions

of persons suspected of having taken part in the political offences connected with it, was immediately to cease, and was not to be again resumed.

In order to protect its subjects from the contagion of liberal opinions, the Russian government published an extremely severe ukase to prevent Russians from residing out of the empire without permission. By obtaining a regular passport a noble might be authorized to reside five years abroad, and one not noble, three years; but if any person exceeded this term without express permission, his property was to be placed in the hands of trustees, who, after a suitable deduction for the maintenance of such of his family as remained in Russia, were to apply the remainder of his income to state purposes: and if on his return he proved that unforeseen and inevitable difficulties had prevented his return, the property was to be restored to him, otherwise it was to remain in the hands of the trustees till his death, and then to be handed over to his heirs.

GREECE, during the present year suffered the evils both of civil war and of political intrigue. By the 10th article of the convention relative to the sovereignty of Greece, it was provided that the rights of the sovereignty of king Otho, should, during his minority, "be exercised in their full extent by a regency, composed of three councillors, appointed by the king of Bavaria." Count Armansperg, a Bavarian nobleman, of known experience, who had filled the highest offices at Munich, was appointed president; M. Maurer, a professor in audience, and a man of vigour, from whose exertions in laws for Greece much

was expected, was the second; and the third was general Heideck, a Swiss Philhellene. To supply any vacancy which might arise from accident or death, a supplementary member was appointed in the person of M. Abel, a man of violent temper, who had in the beginning of life been for some time commissary of police, and who having subsequently elevated his fortunes by marriage with a widow of one of the Fugger family at Augsburg, became Bavarian councillor of legation at Vienna. For some time the members of the Regency went on in tolerable harmony, but their wives quarrelled. Maurer and Heideck, guided by Abel, formed a party against the president; and in the beginning of May, these two, constituting the majority, deprived count Armansperg of certain emoluments which he had up to that time received as head of the government. They even forbade Otho, being apprehensive he might fall in love with one of the count's daughters, to frequent or visit his house, or speak or communicate with any of his family. The count was at last obliged to appeal to Munich; and the result was, that, in August, M. Maurer and M. Abel were recalled, and a M. Knobel was sent to replace the former.

The district of Maina, situated between the gulphs of Coron and Kolokythi, had long been inhabited by a rude and warlike race, who found refuge from their enemies in the recesses of their mountains, and the lofty stone towers, more than two hundred of which were scattered over the country. These towers the Bavarian Regency, for no very urgent or apparent reason, thought it incumbent on them

to reduce, and for this purpose a considerable body of troops was sent into the district. At first, they were repulsed at several points, and some of their detachments sustained considerable loss; but finally the Mainotes were obliged to yield to the concentrated force of their opponents; and, in August, general Schmaltz was in complete military occupation of Maina.

Scarcely had military operations ceased in Maina, when an insurrection, excited by the partizans of Colocotroni, and headed by his nephew, broke out in Arcadia and Messenia. It was suppressed by the end of September, and without much bloodshed. This last insurrection was, in some degree, occasioned by the result of a trial which had occupied the attention of Greece.

Colocotroni and his brother-in-law, Collepulos, had taken an active part in the affairs of Greece, before the crown was placed on the head of Otho. It was certain that they were keenly opposed to the individuals who were now in possession of power; and they were generally considered as partizans of Russia, and as the heads of the party who were supposed to move as Russia directed. In March these two intriguers were accused of high treason. The crimes charged against them were, that they had conspired to subvert the regency, which was denominated "*the actual constitution of the state*," and change the form of the existing government; that with this view they had held meetings, and procured petitions addressed to the king of Bavaria; and that, in order to promote the same end, they had co-operated with some of the robber chiefs, who

had not yet abandoned the occupation they had so long pursued. The culprits were arraigned before the tribunal of Nauplia, which was composed of five members—the president Polyzoides, and four judges, Tertzetti, Soutzo, Frangoulis, and Boulgaris. On the 12th of May the trial began. After the evidence had been concluded in support of the charges, the accused adduced no less than 130 witnesses; and twenty-five days were occupied before the pleadings commenced. The defence was conducted in a mode which the government complained of as utterly contrary to the law and to decency; but the resident was the avowed and open partizan of the prisoners, so that the remonstrances of the public prosecutor were unavailing. When the speeches were concluded, the members of the tribunal withdrew, in order to confer as to the decision at which they ought to arrive. The president and Tertzetti were resolute for acquittal; but the other three, the opinion of whom, as being the majority, bound the court, found them guilty, and doomed them to death, recommending them at the same time to mercy. The two dissentients, however, refused either to sign the sentence, or be present when it was pronounced. "In the name of the law," said the minister of justice to them, "I require of you to sign the judgment pronounced by the majority—that is to say, by the tribunal, and also to assist at its being publicly read." The president replied, that they never would do so. After a short pause, the minister again asked, if they continued to persist in their refusal: and Polyzoides and Tertzetti having replied in the affirm-

ative, he informed them, that at least they were bound to take their seats in the tribunal during the publication of the judgment, which if they did not do, he should be obliged to compel them by force. The two judges again replied, that they "would not yield except to force, and that they were satisfied to endure all for justice' sake;" and obstinately persisted in refusing to enter the court, to be present at the publication of the sentence. The minister then ordered the major of gendarmerie to conduct these gentlemen to their seats in the court. This order was executed, and the sentence was duly published and registered. It was afterwards commuted to imprisonment for twenty years. The trial ended on the 7th of June; on the following day Polyzoides and Tertzetti were suspended, and proceedings were instituted against them for refusing to fulfil the duties of their functions. They were acquitted, and restored to their functions.

The conclusion of the trial was followed by a change of ministry. Mavrocordati was removed from the foreign department, and sent as ambassador to Berlin. Rizo succeeded him, and Coletti was appointed president of the council.

In TURKEY the ascendancy of Russia was increased by an alliance, offensive and defensive, which was concluded between those two powers. The emperor gave up two-thirds of what remained to be paid in respect of the indemnities stipulated for by the treaty of Adrianople, and on the other hand, to round his Asiatic frontier, the Porte ceded to him an extensive tract of country in the Pachalich of Athattsick. Turkey was to pay that portion of the indemnity which was not

relinquished, when it might suit her finances: and in the mean time Silistria was to remain as a pledge in the hands of the Russians; an arrangement which gave them the effective command of Moldavia and Wallachia, and left the frontier of Turkey defenceless against invasion. The free passage of the Dardanelles; also, was conceded to Russia.

In September the Hospodars of Wallachia and Moldavia, were formally invested with their respective dignities. Shortly afterwards the Russian troops withdrew into Bessarabia, and left the Sultan's nominal deputies to rule according to the dictates of the Russian consuls in Bucharest and Jassy, and the mandates coming from St. Petersburg.

The Turkish administration continued to manifest a disposition to improve the political arrangements of the country. Regulations were introduced to modify the collection of such taxes, as were felt to be most oppressive, particularly the poll-tax; and a firman was issued establishing a militia, or national guard, under the denomination of Redif-Mansuri. This new militia was not to be constantly embodied, but was to be assembled, from time to time, to receive instruction in military discipline and manoeuvres, and in the use of arms.

A measure which excited great dissatisfaction among the Greeks, was the arbitrary conduct of the Sultan in deposing the Patriarch and nominating his successor. The right of electing their spiritual chief was almost the only privilege of the Greek subjects of the Porte, which had never before been infringed.

The Sultan enjoyed the gratifi-

rejoiced at seeing that Ibrahim Pasha's rule was not acceptable to many of his newly-conquered Syrian subjects. Towards the end of May an insurrection broke out in the mountains of Naplous, Jericho, and Diebel-Kahil, including all Palestine and Galilee, and it was said, by the historians of the means employed to compel the people to enter the Egyptian military service, and by the disgust of the chiefs of the mountains at the measures adopted to suppress the excursions which they made in the habit of levying, from all pilgrims, who went to visit the holy city. Commotions also broke out among the Arabes inhabiting the east of Jordan, and among the Amurians, in the mountains of Tripoli. A regiment of infantry, which, for want of disposable infantry, Ibrahim had sent against the Naplousians, was attacked in a dolt, and was compelled to retreat, leaving in the power of the enemy its baggage and a hundred killed, among whom were the colonel and two captains. This check was followed by another still more disastrous. The 15th regiment of infantry, which had been sent for from Damascus, made an ill-directed attack upon the rebels, and was repulsed with great loss; the colonel and lieutenant-colonel being killed. On other points, where Ibrahim was in person, the insurgents were defeated. In order to put an end to the insurrection, Mehemet Ali quitted Egypt and embarked for Jeddah on the 24th of June, with a corps of about 8,000 men. His presence, with so powerful a reinforcement, produced a decisive effect: the insurgent chiefs, struck with dismay, remained nearly inactive, while Ibrahim continued

to press them on all points. The fortified village of Zeitun, seven or eight hours' march distant from Naplous, was carried at the point of the bayonet; two hours afterwards the mountaineers were vanquished in a second encounter, in which they lost 400 men. After this defeat all the villages submitted, and the Egyptian troops entered Naplous without firing a shot. The population which had taken part in the revolt were disarmed, and three chiefs were beheaded. At the commencement of August the authority of Ibrahim was perfectly restored throughout Syria, and Mehemet Ali returned to Alexandria.

The tranquillity, which was thus established, was not of long duration. In the beginning of October a rising took place in Aleppo, which was not suppressed till after several sanguinary conflicts, and was followed by numerous executions. About the same time the people revolted in Beirout and Antioch. The Egyptians again obtained the mastery, but not without the loss of many of their men. A few days later the whole population of the Kesroan, a part of Anti-Lebanon, broke out into open war, and would have intercepted the communications of the Arabian troops, had not the Emir of the Druses hastened to the assistance of the latter, and decided the victory in their favour.

While such was the course of events in Syria, the Sultan had sent considerable reinforcements to the army of the Badachid Pacha in Asia Minor, in order to be in a situation to avail himself to the utmost of any opportunity that might occur of recovering his lost dominions. Pretexts for a rupture were not wanting. The

Porte complained that Mehemet Ali had taken possession of the districts of Ourfa and Rana which belonged to the Pachalic of Diarbekir, and refused to pay the stipulated amount of tribute. To these complaints the Egyptian chief turned a deaf ear, and he showed no disposition to shrink from a conflict with a power which had so lately fallen prostrate before him. There was towards

the close of the year almost every symptom of an immediate and open rupture between the Sultan and Mehemet Ali; but the former, on applying for Russian assistance and protection, found that his Northern ally did not conceive himself bound to take part in hostilities which were of the Sultan's own seeking, and thus peace was in the mean time maintained.

THE United States of America, which had before been regarded as a remote and distant country, drew the national public attention were presented to the view of the British people in a different point of view, by the appearance of the first volume of the "Annals of the United States of America," published by the American Society for the Propagation of the Gospel in Foreign Parts, in the year 1834. This work, which is the result of the labours of a committee of the American Society, is a valuable and interesting contribution to the knowledge of the United States, and is well calculated to excite the interest of the British people in the progress of the American Republic. The work is divided into two parts, the first of which contains a general description of the United States, and the second a more detailed account of the various States and Territories. The first part is written by a committee of the American Society, and the second by a committee of the British Society for the Propagation of the Gospel in Foreign Parts. The work is well written, and contains a great deal of interesting and valuable information. It is well calculated to excite the interest of the British people in the progress of the American Republic, and is well calculated to show the progress of the American Republic in a more favourable light than it has hitherto been regarded.

THE United States of America, which had before been regarded as a remote and distant country, drew the national public attention were presented to the view of the British people in a different point of view, by the appearance of the first volume of the "Annals of the United States of America," published by the American Society for the Propagation of the Gospel in Foreign Parts, in the year 1834. This work, which is the result of the labours of a committee of the American Society, is a valuable and interesting contribution to the knowledge of the United States, and is well calculated to excite the interest of the British people in the progress of the American Republic. The work is divided into two parts, the first of which contains a general description of the United States, and the second a more detailed account of the various States and Territories. The first part is written by a committee of the American Society, and the second by a committee of the British Society for the Propagation of the Gospel in Foreign Parts. The work is well written, and contains a great deal of interesting and valuable information. It is well calculated to excite the interest of the British people in the progress of the American Republic, and is well calculated to show the progress of the American Republic in a more favourable light than it has hitherto been regarded.

CHAP. XVII. — THE UNITED STATES. — The Bank Question — Disputes between the Senate and the President — Substitution of a Metallic currency for paper — Elections to the new Congress — Riots in New York — MEXICO — Bravo's insurrection — Dissolution of the Chambers — Civil war — Santa Anna prevails — New Congress — VENEZUELA — NEW GRANADA — THE EQUATOR — PERU — BUENOS AYRES — BRAZIL.

THE United States continued to be agitated by the contest, which had begun in the preceding year as to the legality of the conduct of the president in withdrawing the public deposits from the national bank. Many petitions were presented to Congress from different parts of the country, praying that the deposits might be restored to the bank; and deputations from Philadelphia, New York, and various other towns waited on the president, in order to induce him to alter his line of conduct. But nothing could moderate his hostility to the bank: and to a certain extent he was supported by the house of representatives. A committee of ways and means had made an elaborate report, concluding with four resolutions, two of which were, that the bank ought not to be re-chartered, and that the public deposits ought not to be restored to it; and this report was adopted by the house of representatives, by a majority of fifteen. On the other hand, the Senate declared by a majority of twenty-six out of forty-six members, "that the president in the

late executive proceedings, in relation to the public revenue, had assumed upon himself authority and power not conferred by the constitution and laws, but in derogation of both." Thus, the Senate, which partly shares with the president in the executive power, and before which, as a judicial tribunal, he would be tried on impeachment, declared his conduct "illegal;" and this resolution drew from the president a protest, in which he endeavoured to prove that he had acted within the bounds of the constitution, and that his accusers were the persons who had adopted "an unconstitutional and unlawful" course of proceeding. The senate refused to receive or place upon their journals, either the protest, or a supplementary and explanatory document, which he subsequently issued.

The Senate of the American union is not only a branch of the legislative power of the confederation, but likewise shares largely in the executive authority of the chief magistrate. The latter may appoint his ministers and immediate dependents, without

the concurrence of the Senate, but he cannot nominate an ambassador to a foreign court, or even promote a military or naval officer to a command at home, without the sanction of that body. The original capital of the bank was \$7,000,000, of which the government of the Union took \$37,000,000; and in order to superintend its interests in the concern, the president was empowered to nominate five of the directors. The nomination of these directors, like that of ambassadors and other officers, must be sanctioned by the Senate; and the Senate determined to reject the list of the president. General Jackson was so well pleased with the conduct of four of the directors, whom he appointed at the last election, and who supplied him with information to enable him to throw imputations on the management of the bank, that he appointed them anew at the beginning of the present year. The Senate entertained a different opinion of the manner in which these gentlemen had executed the duties of directors, and put its negative on their renewed appointment. The president sent in the same list a second time, and it was again rejected. In a long message, stating his reasons for re-appointing the obnoxious individuals, general Jackson declared, that if they were again rejected, he would nominate no others. The Senate answered by a peremptory reply through a committee, that if he exerted his prerogative, they were determined to adhere to their rights, and to exercise to the best of their judgment, the control given them by the constitution on his nominations: that the re-nomination of

the same persons who had been rejected was without precedent, except in very unimportant cases; and that president Washington, on an occasion, in which he felt severely the rejection of a friend, whom he had named to an office, never thought of gaining his object by proposing him for the approval of the Senate a second time. Other nominations of persons to fill official situations were rejected by the Senate.

In order to remedy the inconveniences flowing from the restrictions of the circulating medium, which the president's measures had occasioned, it was thought necessary in some of the states to assist public credit by state loans. In the state of New York, the local Congress, which sitting in Albany, had little or no sympathy with the trading, and the monied interests of New York, the great commercial capital of the American Union, authorized a loan to the state banks within its own territory of \$6,000,000: in other words, it empowered these banks, in certain proportions, to issue more notes than they did before, when the extent of their circulation was the cause of their danger. On the other hand, a "report of the Union committee" was adopted at a meeting of the chief merchants and public men in New York, which declared that the restoration of the government deposits to the bank, and the continuance of that great establishment were essential to the safety of the country. From this report, to which, among other high names, that of Mr. Gallatin was subscribed, it appeared, that in New York itself, there were, in

1834, not less than nineteen banks of issue, the notes and liabilities of which amounted to \$15,500,000, while the cash in their coffers amounted only to \$1,650,000!

In the meantime, the importation of gold into the United States, went on to an unprecedented extent. The increase of specie between the beginning of January, 1833, and the 11th of June, 1834, exceeded \$20,000,000; and the excess of specie imported in the next nineteen days, above what was exported in the same period, came to about \$2,000,000. The result of this crisis in the circulation of the Union was, that a metallic currency was established for paper money. This object was in some degree promoted by a law, which was raised, altering the ratio of gold to silver, from fifteen to one to sixteen to one.

The elections of members to the house of Representatives towards the end of the year, showed that, however opposed the capitalists and the great commercial, and manufacturing interest of the Union, might be to the policy of the president, it was acceptable to the numerical majority of the people. The two parties, into which the voters were now divided, were opponents and supporters of the bank; and in most places the former were the more numerous of the two. The general opinion was, that the new elections made an addition of from sixteen to twenty votes to the president's majority in the house of Representatives.

In July, New York was the scene of disorder, springing from a cause not very honourable to the population of that city. The friends of negro emancipation had

been holding meetings in New York, and other cities of the Union, to promote that object: these meetings had excited alarm. The friends of the blacks were denounced as fanatics, whose objects were the immediate emancipation of the negroes, and the promiscuous marriage of the two races. Mobs, composed of the white populace, attacked, on the 10th of July, the churches, the dwelling-houses, and the stores of the prominent abolitionists, which they gutted and robbed: they also directed their violence against the dwellings, and the stores of the leading people of colour. The civil force being unable to check the career of the rioters, the mayor called out the military; and the united powers succeeded, on the night of the 11th, in putting an end to the outrages. Seven churches were attacked, and were all, more or less, injured; twenty private houses were plundered, and an equal number of poor families of black people had their property destroyed. Many black persons were obliged to remove their furniture and effects, and seek safety in flight.

In the southern provinces of Mexico, general Bravo, in December, 1833, joined those who were in arms against the government of Santa Anna; and issued a manifesto in which he proposed that a national assembly should be convoked, which should form a new constitution and system of government instead of that which existed. This Assembly was to be composed of four delegates from each state,—an officer of the rank of captain, a priest, a lawyer, and a landowner, who were to be chosen by lot; in the mean time, the chambers were to suspend their sittings, and the executive power was to be placed

in the hands of the president of the supreme court of justice. Victoria marched against Bravo; and on the 14th of January an engagement took place at Pellama, in which the insurgents were defeated, with a loss of fifty killed and sixty wounded, or taken prisoners. Some small bands re-assembled under Bravo and Canaliz, but the disturbances, though not entirely suppressed, did not assume a serious aspect till other dissensions arose in the Government.

Laws had been in progress in the Congress for disbanding the local militia, and for applying to state purposes a great part of the revenue of the church. The militia were hostile to the former measure,—the clergy and the aristocracy to the latter. Santa Anna joined them; and the differences between him and the Congress terminated, on the 31st of May, in his dissolving, or assuming to dissolve, the legislative Chambers. Many of the northern provinces were immediately in arms against him, and proclamations were issued in the names of "God and Liberty," denouncing him as a dictator, a tyrant, and a violator of the constitution. The army, however, in general adhered to Santa Anna; he exerted himself with energy to put down his opponents; and he was strenuously aided by the priesthood. Before the end of July, San Luis Potosi, Morelia, and Puebla, which had taken a principal share in the revolt, had submitted to his arms; Guadaluara submitted shortly afterwards; and by the beginning of October, tranquillity had been generally restored. Santa Anna summoned a new congress, which

was to commence its sittings on the 1st of January. In the election his party was generally successful; and, in the meantime, he formed a new ministry. Señor Lombardo was appointed to the portfolio of the home department and foreign affairs; Señor Lebruji, minister of finances; Señor Mors, minister of war and the navy; Señor Portugal, minister of religion; and Señor Alaman, who had been formerly banished by Santa Anna, was placed at the head of the Camarilla.

VENEZUELA and NEW GRANADA enjoyed undisturbed tranquillity, the former under the presidency of general Paez,—the latter under that of Santander; and in both the government was occupied principally with administrative and legislative improvements. On the 3rd of January, the ratifications of a preliminary treaty of commerce between France and Venezuela were exchanged. The treaty stipulated for the enjoyment by the diplomatic agents, citizens, ships, and merchandise of both countries respectively, of all the privileges and immunities conceded to the most favoured nation; and ships were to be deemed French or Venezuelan, if actually the property of citizens of the respective countries. In all their public documents Venezuela and New Granada professed a firm determination to provide for the payment of the debt contracted by Colombia; and commissioners were to be appointed from these two states, and the Equator, to fix the proportion of the foreign debt which each was to bear. The Equator, however, was kept in disturbance, by civil war between the partisans of Flores on the one hand, and

of Rocafuerte on the other; and as this circumstance prevented the attendance of a duly authorized commissioner from that state, the conference was postponed from time to time. At length, New Granada and Venezuela determined to proceed alone, and on the 6th of September their commissioners met at Bogota, and held their first conference on the partition of the debt. At the end of the year, however, the creditors had received nothing but promises.

In Peru the ex-president Gamarra, with generals Bermudez, Frias, Vargas, and some other officers, were in arms against the president Orbegoso. They were in possession of Junin, Cuzco, Puno, Ayacucho, and several other districts; and avowed an intention of erecting the southern provinces into a separate estate, of which Cuzco was to be the capital. They obtained some successes; but in April, Bermudez's army, consisting of about 1,200 men, suddenly deserted him, and went over to the president. Shortly afterwards Gamarra was defeated by general Miller.

In October, 1833, an attempt was made to effect a revolution in Buenos Ayres. In June 1834, the

government resigned spontaneously. The internal provinces were, as usual, the theatre of petty dissensions and petty skirmishes.

Some troops from the province of Rio Grande made an incursion into the territory of Monte Video. This proceeding was disavowed by the Brazilian government. It was supposed to have originated from some restless spirits, who had formed the project of separating Monte Video from the oriental republic and Rio Grande from Brazil, and of uniting these two provinces into an independent state.

The Brazils were occupied during the present year with matters of internal arrangements. In August the legislature and the regency ratified a measure for establishing a federal form of government throughout the entire Brazilian territory, upon principles similar to that of the United States, with this difference, that the powers of the local authorities were to be much more extensive and independent than in the latter. The city of Rio de Janeiro was named the chief seat of general government, and the town of Praia Grande was declared the capital of the state or province of Rio de Janeiro.

CHRONICLE.

CHRONICLE.

JANUARY.

1. **T**HE Gazette Universelle Suisse of Berne states, that, on New Year's Day, all the seventy or eighty wells of Bienne were remarked, notwithstanding the purity of the water they had uniformly given, to emit such an immense quantity of silvery white liquid, that the streets were completely inundated with a foaming torrent. On the following day, they all returned to their ordinary state. Such a phenomenon had never before occurred, except on the occasion of the earthquake at Lisbon in 1755.

DRURY-LANE THEATRE. — A new Comedy was produced, called *The Wedding Gown*, written by the author of the *Rent Day*. *Matthew Lubeski* (Mr. Cooper), a Polish nobleman, who, in consequence of having taken a decided part in the revolt of his country, has been reduced to great privations, is living with his daughter, *Augusta* (Miss Phillips), in the apartments of *Creamly*, (Mr. Webster). The latter, pitying the destitute condition of his lodger, recommends him to apply to his landlord, *Beeswing*, (Mr. Farren), a rich old bachelor, a mixture of philanthropy and strong-headedness, who is in want of a steward, and the old gentleman so much admires the character of the exile, that he in-

vites him to reside with him as his friend, and afterwards sends for *Lubeski's* daughter, with the intention of making them both happy. It appears that *Beeswing* has lent extensive sums on mortgage to a noble lord, whose daughter, *Margaret* (Miss Taylor), an unsophisticated girl, educated in retirement, is to marry *Clarendon*, (Mr. King), a young gentleman lately returned from his travels, *Beeswing's* nephew; and the lender has agreed, when the ceremony has taken place, to give back to the borrower all his title-deeds. In the mean time, *Augusta*, having observed her father's utter destitution, has, without his knowledge, employed herself as an assistant to a celebrated milliner, and is engaged to make "the wedding gown" for the happy occasion. But the fair bride has placed her affections on an old playmate, *Effingham*, (Mr. Brindal), and is not at all inclined to accept the husband who has been provided for her, while the happy bridegroom has also a similar entanglement with a lady he had known at Dresden, who is no other than *Augusta*. The nephew, having discovered the object of his adoration, and had an interview with her, informs his uncle of the impossibility of his marrying the *Lady Margaret*, having already

CHRONICLE.

JANUARY.

THE Gazette Universelle Suisse of Berne states, that, on New Year's Day, all the seventy fountains of Bienne were re-opened, notwithstanding the purity of the water they had uniformly afforded, to emit such an immense quantity of silvery white liquid, that the streets were completely inundated with a foaming torrent. The following day, they all returned to their ordinary state. This is a phenomenon had never before occurred, except on the occasion of the earthquake at Lisbon in

URRY-LANE THEATRE. — A Comedy was produced, called the Wedding Gown, written by the author of the Rent Day. *Jan Lubeski* (Mr. Cooper), a nobleman, who, in consequence of having taken a decided part in the revolt of his country, has been reduced to great privation, is now living with his daughter, *Augusta* (Miss Phillips), in the neighbourhood of *Creamly*, (Mr. Webb). The latter, pitying the destitute condition of his lodger, recommends him to apply to his landlord, *Beeswing*, (Mr. Farren), a wealthy bachelor, a mixture of philosophy and strong-headedness, who is in want of a steward, and a gentleman so much admires the character of the exile, that he invites

L. LXXVI.

him to reside with him as his friend, and afterwards sends for *Lubeski's* daughter, with the intention of making them both happy. It appears that *Beeswing* has lent extensive sums on mortgage to a noble lord, whose daughter, *Margaret* (Miss Taylor), an unsophisticated girl, educated in retirement, is to marry *Clarendon*, (Mr. King), a young gentleman lately returned from his travels, *Beeswing's* nephew; and the lender has agreed, when the ceremony has taken place, to give back to the borrower all his title-deeds. In the mean time, *Augusta*, having observed her father's utter destitution, has, without his knowledge, employed herself as an assistant to a celebrated milliner, and is engaged to make "the wedding gown" for the happy occasion. But the fair bride has placed her affections on an old playmate, *Effingham*, (Mr. Brindal), and is not at all inclined to accept the husband who has been provided for her, while the happy bridegroom has also a similar entanglement with a lady he had known at Dresden, who is no other than *Augusta*. The nephew, having discovered the object of his adoration, and had an interview with her, informs his uncle of the impossibility of his marrying the *Lady Margaret*, having already

fixed his choice elsewhere; but the old gentleman is determined that the affair shall be arranged according to his own plan, and refuses in a rage to hear his kinsman's remonstrances, although his new friend, *Lubski*, endeavours to persuade him to act differently. *Margaret*, however, will not be persuaded into matrimony with one she dislikes: so she privately marries her lover exactly an hour before the ceremony is to commence which would wed her to another. As soon as she returns from her clandestine nuptials, the milliner, *Augusta*, arrives with the wedding gown, in the full conviction that the dress she has been making is to adorn the wife of her own lover; but after a series of embarrassing circumstances, the mystery is cleared up, the uncle gets rid of his passion, and consents to his nephew's marriage, and the young lady wears the wedding gown she has made for another. The applause was loud in many instances, and, in some scenes, general. At the conclusion, a little opposition was evinced.

3. COUNSEL'S LATITUDE IN CROSS-EXAMINATION.—Jeremiah Barrett was indicted for feloniously entering the dwelling-house of Captain Robert Melville Grindley, on the 1st of January, inst., and stealing a variety of articles to a large amount in value. The facts were most clearly made out in evidence, with the exception, that the breaking into and entering the premises of the prosecutor was not brought home to the prisoner.

Mr. Stammers, who defended the prisoner, cross-examined the prosecutor, with a view to raise an imputation that he had carried on

an illicit intercourse with a female servant during the indisposition of his wife, but

Mr. Justice Alderson interrupted the cross-examination, observing that it was directed to matters which were quite irrelevant to the present inquiry, to say nothing of the impropriety of raising such an inference as was attempted. Mr. Stammers said, that, pursuing his instructions, he felt it was important to the interests of his client that the inquiry should be pursued. Mr. Justice Alderson said, that it was usual for counsel to use some discretion in acting upon their instructions, and, of course, if the line of cross-examination, which had been commenced, was persisted in, it must be at the peril of the party insisting upon it. The cross-examination of captain Grindley by Mr. Stammers upon the point proceeded, but captain Grindley was unshaken in his most positive and indignant denial of the calumnies against his character. The case for the prosecution having closed here, Mr. Justice Alderson adverted in strong terms upon the course of cross-examination which had been persisted in by the counsel for the prisoner. It was, his lordship observed, most reprehensible in counsel to pursue so irrelevant an inquiry at the suggestion or instruction of any individual. It was monstrous that a person placed in the witness-box should be exposed to so gross an insult as had been offered to captain Grindley. Mr. Stammers said, that if his lordship were in his situation at the bar, he would, with similar instructions, have pursued the cross-examination, as he (Mr. Stammers) had felt it his duty to do. "Indeed, sir, I should have done no such thing. It was never my practice,

when at the bar, to insult any witness. The result of the cross-examination shows me that it could not, in the least degree, bear upon the guilt or innocence of the prisoner, and the questions which have been put to captain Grindley were an unseemly insult to that gentleman; for nothing could be a greater insult to a gentleman of the high character and reputation of captain Grindley, than the insinuation, that he had slept with one of his female servants during the illness of his wife. The course, I repeat, is one which I should have been incapable of pursuing when at the bar, and which I will not suffer, as long as I have the honour of a seat upon the bench."

Mr. Stammers—"I must still, my lord, adhere to my former impression, that my duty compelled me to press that inquiry, and I must repeat, that I am sure that your lordship, with such instructions as I have received, would have done the same."

Mr. Justice Alderson, (in a most emphatic and energetic tone)—"Mr. Stammers, I have expressly and distinctly said, that I should never have done so; and after such an assertion on my part, I think the repetition of your observations most extraordinary and improper. I repeat, that you have offered one of the greatest insults that man can offer to man, to captain Grindley." Mr. Justice Gaselee entirely concurred in every observation that had fallen from his learned brother, Mr. Justice Alderson: and shortly afterwards Mr. Stammers left the Court.

The prisoner, on being called on to make his defence, denied that he had either broken into the house or stolen the articles named in the indictment, and he accounted for

his possession of them, by stating, that they had been given him by a female servant of the prosecutor, who was his sweetheart, and who was still in the service of captain Grindley.

Mr. Justice Gaselee, on summing up the case, directed the jury to dismiss from their consideration the charge imputed to the prisoner, of breaking and entering the house, as it was not supported by the evidence. His lordship also commented in strong terms upon the course of cross-examination persisted in with reference to captain Grindley, and having stated that he had never seen Mr. Stammers, who, he understood, was a young member of the bar, before that day, expressed his hope that the lesson he had just received from the court would benefit him in his future career.

The jury, without hesitation, found the prisoner Guilty of stealing in the dwelling-house property above the value of 5*l*.

4. OLD BAILEY—FORGERY.—William Collier, aged 44, a surgeon, was indicted for forging a transfer of stock to the amount of 2044*l*. 3*s*. 1*d*., three per cent. Reduced Annuities, with intent to defraud the governor and company of the Bank of England. There were several counts in the indictment, varying the mode of stating the charge.

Mr. Richard Squire produced the probate of the will of Mrs. Mary Martin, late of Beaconsfield. Her niece was the prisoner's wife, and to her the testatrix bequeathed, during her life, 1600*l*., which was invested in the three per cent. Reduced Annuities, in the names of the prisoner and himself as joint trustees under the will. The prisoner always received the dividends that were payable to his

wife. Witness had never consented to the transfer of the stock in question.

Francis Henderson, a clerk in the Bank of England, here produced the D transfer book of the Bank of England. The witness said, the signature of William Squire in that book was not in his handwriting, the other signature William Collier was in the handwriting of the prisoner.

Mr. John Rumsey, a solicitor, at High Wycombe, Buckinghamshire, stated, that, in 1826, he had some communication with the prisoner relative to the loan of some money. A Mr. John Lane lent the prisoner 200*l.* on the security of the stock standing in his wife's name. A deed was executed by the prisoner and his wife, assigning a portion of the said stock as a security for the money so advanced. The interest of the money lent by Lane had been regularly paid.

Mr. Bunter, a clerk to Mr. Durant, a stockbroker, stated that in October, 1832, the prisoner came to Mr. Durant, and said, he wished to have 120*l.* Consols bought for him. The prisoner gave witness the money, and he made the purchase for him. Prisoner subsequently wrote him a letter, desiring him to transfer some Stock. That was on the 10th January last.—[Letter put in and read.]

William Blackburn, another clerk to Mr. Durant, stated, that the prisoner came there on the 10th January last, for the purpose of getting some stock transferred. There was another person with him. Witness did not know that person. It was not Mr. Squire. Witness attested the transfer of the sum of 2044*l.* 3*s.* 1*d.*, by the prisoner, and the person who was with him. The latter signed his

name on the transfer book William Squire, and witness supposed at the time that that was his real name. The instructions for the transfer were dictated by the prisoner.

Cross-examined.—Prisoner was present when the other person signed the name, William Squire, in the transfer book.

John Henry Clark, a clerk to Messrs. Wheeler and Co., stockbrokers, stated, that he knew the prisoner at the bar, having transacted business for him several times. In April last he transferred 200*l.* for him, then standing in the name of William Collier, jun., part of a large sum standing in that name. The prisoner signed the transfer in the name of William Collier, jun.

Cross-examined.—Was not sure the signature was not that of the prisoner's son.

Mr. Durant stated, that he knew the prisoner, and that he transferred some stock for the prisoner, which he subsequently sold for him. The amount was 1800*l.* That was under a power of attorney from William Collier, jun., the prisoner's son. The prisoner assigned as a reason for his son not coming to town, that it was not convenient. The power of attorney was prepared by witness. The proceeds of the stock were remitted to William Collier, jun., in bank post-bills.

James Hale Palmer stated, that he was present when the power of attorney for the sale of the Stock was executed by Collier, jun., on the 1st of October. The prisoner took the power of attorney with him.

The bank post-bills remitted to Collier, jun., were here put in and read, as well as the power of attorney, and several other

documents connected with the case.

Mr. Thomas Mould, a clerk in the Bank of England, produced the book in which the Stock was re-transferred to the names of Collier and Squire, by the Bank of England.

Mr. William Herbert Mullens, stockbroker to the Bank of England, proved the re-transfer of the sum of 2044*l.* 3*s.* 1*d.* by the Bank of England to the names of Collier and Squire.

This closed the case for the prosecution.

The prisoner, in defence, said, there was no intention on his part to defraud the Bank of England, and that the bank would never have been called upon to make good the money.

A great number of witnesses were examined, who gave the prisoner an excellent character.

The jury returned a verdict of "Guilty," but recommended the prisoner to mercy.

7. PRIVY COUNCIL—FORGERIES ON THE EAST INDIA COMPANY.—The Judicial Committee of the Privy Council met (present, the right hon. Sir L. Shadwell, Sir James Parke, Sir John Bosanquet, Thomas Erskine, Sir Alexander Johnstone, and Sir Edward East) to hear the appeal "The Bank of Bengal v. the East-India Company." The case arose out of some extensive forgeries at Bengal; and although the amount in dispute in the present instance was small, the decision was of importance, as there were many questions of a similar nature depending.

The counsel for the appellants contended, that the East-India Company were liable for notes signed by their authorized officer. In the case of "Brice and Co. v.

the East-India Company," tried in the Supreme Court of Madras, there was no objection made either to the jurisdiction or the liability. This was not a debt contracted between sovereign and subject, neither was it contracted on behalf of the state of Great Britain; it was merely a transaction between the bank and a trading corporation. The laws were the same in matters of partnership, and in corporations for the purposes of trade. A great many sections from different acts of parliament were quoted, as applying to the mode of conducting the affairs of the Company. Conclusive evidence had been produced to show the recognition of the note by the East-India Company; since it appeared, that when the plaintiff was about to advance money on the note in question, he inquired at the proper office of the East-India Company, if the note was genuine. The answer was in the affirmative. This was a recognition by the proper constituted authority; and as conclusive evidence of this recognition had been produced, the question of forgery (as respected the note) was immaterial.

The right hon. Thomas Erskine gave judgment on part of their lordships. This was an action for three bills against the East-India Company. The instruments were proved to be forged, although *bona fide* discounted by the plaintiffs, who had sent to the office of the Accountant-general, where such notes are registered, and that clerk, whose duty it was to examine them, declared them genuine. Upon this certificate the plaintiffs advanced their money. The Company stated, that the clerk had no authority to give effect to promissory notes, which were not so in fact, even

admitting that the clerk had acknowledged them to be genuine. The authority of the clerk to authenticate promissory notes had not been made out. These notes were always signed by the secretary to the government, and were also checked by several other officers in a formal way. Authority had been given in 1824 to the clerk to keep the register and examine the notes, and he had been in the habit of putting his initials to them, which showed that he found they agreed with the register, and that he considered them genuine: but the Company had not authorized the clerk to give validity to notes; the caution practised by the Company in not paying even the interest of their notes without examination by two of their servants, proved that the Company could not contemplate giving authority to one servant to authenticate their notes.

The decree of the Court below was therefore affirmed.

8. EXTRAORDINARY SUICIDE.—

An inquest was holden on the body of Theodosia White, *alias* Humphrey, aged sixty-eight years, who had committed a most singular and determined act of self-destruction.

Mr. Reynolds, surgeon, stated, that about two years ago he attended the deceased, who was at the time labouring under the effects of *delirium tremens*, produced by excessive drinking and irregular living. He did not recollect seeing her from that time until Saturday, about eleven o'clock. On then going to her apartments in Groveterrace, he perceived her bed completely deluged in blood, and she herself in a dying state. On examination, he discovered a wound on the abdomen, upwards of four inches long, beginning near the navel, and extending downwards.

This wound had been inflicted by a sharp instrument, which had entered the cavity of the abdomen, and a portion of the intestines had come through it. There was a second wound in a transverse direction, extending from a little above the navel, three or four inches towards the right side, which had divided the abdominal arteries, and caused excessive hemorrhage. There was a superficial wound on the throat, but death was occasioned, in his opinion, by the wounds in the abdomen. Two knives were found in the room—the one, a large table knife, in the bed, covered with blood, and the other a small dessert-knife, which was partially wiped, on the table. The wounds, he had no doubt, were inflicted by these instruments, and by the hand of the deceased herself. She was in a state of insensibility, from which she did not recover. Verdict, “Temporary Insanity.”

23. QUEBEC.—The chateau of St. Louis, the residence of the governor, took fire about noon; and, notwithstanding the immediate alarm, and the attendance of the troops and fire-engines, all efforts to save the building proved unsuccessful, and it was by five o'clock, p. m. a heap of ruins. From the intense cold of the day the engines became quickly clogged with ice, nor could the firemen maintain themselves sufficiently long on the roof, from the cold, to render any effectual service. The watermen, conveying water from the river, were covered with ice, as well as the firemen on whom the spray fell. The chateau was built by the French about 150 years ago, and will cost the province from 25,000*l.* to 30,000*l.* to replace it.

25. INTERVIEW OF THE DEPU-

**TATION FROM THE NOTTINGHAM
DISSENTERS WITH EARL GREY.**
(*From the Christian Advocate.*)—

On Monday last Mr. Hunter and Mr. William Howitt, the gentlemen appointed by the Nottingham Dissenters to present a Memorial on Church Reform to Earl Grey, were introduced to the premier by Lord Duncannon, and a conversation of a quarter of an hour took place, of which the following was the substance:—

On receiving the Memorial, his Lordship said, he presumed it was in substance the same as the Memorials that Ministers had recently received from the Dissenters of different places.

Mr. Howitt replied, that, on reading the Memorial, his Lordship would be better able to decide that, than they (the deputation) were; for he believed the Nottingham Dissenters had not been looking here and there, to see what other Dissenters were doing, but had considered for themselves, what was their duty, and had proceeded honestly to do it. They had prayed for the separation of Church and State.—Earl Grey said, he was sorry for it. The expression of such sweeping desires for the destruction of the establishment would embarrass Ministers, alarm both Houses of Parliament, and startle the country. He wished they had confined themselves to the removal of disabilities connected with marriage, burial, registration of such matters, &c.; for, on these points there existed, both in himself and colleagues, every disposition to relieve them.—It was replied, that neither Parliament nor the country were now so easily frightened at the proposition of bold measures; and all that concerned Dissenters was whether these

measures were just. They considered, that to ask only for relief from personal disabilities, was taking a very narrow and selfish ground: it appeared to them best and wisest, and indeed their bounden duty, to take the broad ground of entire religious liberty.—Earl Grey inquired, what in reality they did ask? He could not conceive, if these disabilities were removed, what actual grievance would press upon Dissenters. Did they want entirely to do away with all establishments of religion?—Mr. Howitt replied, Precisely! That was what they desired. If his lordship could not conceive what grievances would affect Dissenters, these disabilities being removed,—the Dissenters, on the contrary (those Dissenters who understood the true principles of dissent), could not conceive that they could possibly be freed from all injuries and cause of complaint, while an establishment existed at all: for while that existed, there must be unjust distinctions and injurious partialities. Mr. Hunter said, his lordship need not wonder that the Dissenters were irritated against the bishops. At the time the Ministers were carrying the Reform Bill through the House of Peers, they had a mighty torrent to stem, which torrent was vastly increased by the influence of the prelates; and in proportion as the friends of civil and religious freedom sympathised with Ministers, in the same proportion their indignation was raised against these men.—Lord Grey said, he thought they (the Ministers) had the greatest cause to complain of this. But he would say decidedly, he should give his strenuous opposition to every attempt to remove the establishment. He belonged to the church, and he

would stand by it to the best of his ability. He considered it the sacred duty of every government to maintain an establishment of religion.—Mr. Howitt observed, that they would entirely agree with his lordship, that it was the bounden duty of a Christian government to give every protection to Christianity ; but that was only to be done by making it free ; to establish one sect in preference to another, was to establish a party, and not religion. Earl Grey again repeated his regret, that the Nottingham Dissenters had taken such high ground. If the Nottingham Dissenters thought that the country at large, nay, that the Dissenters in general, would go along with them, he believed they were deceived. He believed the country desired an establishment, and that many Dissenters were favourable to it. By going too far, they would probably have their claims thrown out by parliament, as the Sabbath Bill had been. Mr. Howitt most respectfully begged to assure his lordship, that he thought a few months would prove the contrary : —that Dissenters, those who knew what dissent really was, were not, and could not be, favourable to an establishment. The question had been much agitated by the newspapers, and the Tory press had represented the Dissenters as a very small body. The matter had been put to the test of exact inquiry by a churchman at Nottingham, as stated in the memorial, and the result was, that the Dissenters were found to be more than double the church-goers. Lord Grey said, that might be in one place. Mr. Howitt rejoined, that he would put it fearlessly to a national proof. They should not be surprised if a measure of tho-

rough Church Reform were rejected ; they should rather be surprised if it were not ; but they felt from their knowledge of the popular feeling, that it was a measure which would be pressed again and again upon parliament, till it was eventually carried.

Here the conversation ended, and the deputation withdrew.

27.—*Paris*.—A singular scene took place in the Chamber of Deputies. The majority, unwilling to encourage the demands made on it by the revolution of July, in the shape of pensions to the widows of two general officers, particularly dear to that revolution, threw out, by the secret scrutiny or ballot, two projects of law, which they had only a few minutes before adopted, by standing up in favour of them in the Chamber. The two projects were, one for granting a pension to the widow of the late general Daumesnil, governor of Vincennes, and the other, for granting a similar pension to the widow of general Gerard (not marshal Gerard, who is still living), who in July, 1830, distinguished himself in the streets of Paris, by fighting against the forces of Charles X. The majority, when the separate articles of the laws were first voted, appeared, by standing up in their favour, to adopt them ; and yet, a few minutes afterwards, when they went to the urn to deposit their black or white balls, there were found 145 black balls to 104 white against the pension to Daumesnil's widow, and 170 black balls to 63 white against the pension to Gerard's widow.

29. EXTRAORDINARY HIGH TIDE.—This morning the waters of the river Thames rose to a greater height than they had attained for the last forty years, and

in many places overflowed the banks. About four o'clock the inhabitants of the lower parts of Wapping, Shadwell, Limehouse, Blackwall, and Rotherhithe, were alarmed by the rushing of the waters into their cellars. The tide continued rising until nearly five o'clock, at which time the lower parts of Lambeth, Bankside, Blackfriars, Vauxhall, the lower part of the Strand, Stangate, Blackwall, and Deptford, were under water, and moveable goods and furniture of every description were floating about. The granary-keepers on the banks of the Thames were great sufferers by the inundation. On the receding of the tide large quantities of corn were carried away from the ground-floors, and many thousand quarters of grain were damaged and spoiled. The water rushed into Douglas's granary in High-street, Wapping, the lower floor of which was filled with 200 sacks of flour, and several hundred quarters of wheat; and on the waters receding, it was found that 200 quarters of grain had been damaged, and the sacks of flour had been immersed in the flood to the depth of eighteen inches. The cellars, bars, parlours, and tap-rooms of the Town of Ramsgate and Waterman's Arms public-houses, in the same street, were filled with water, which, in the latter house, reached as high as the settles in the parlour. For nearly an hour, Wapping-street, from Execution-dock to the Waterman's Arms, a distance of a quarter of a mile, was under water, and watermen were employed to take the inhabitants to and fro in boats. The same appearance presented itself in Shadwell. In several houses in Blackwall, where the kitchens were

occupied as sleeping apartments, the inmates were awoken by finding themselves immersed in water, which had reached above their bedsteads. Some watermen heard the screams of a family living in a small tenement near the Orchard-house, Blackwall, and rowing their boats close to the window, they found an old couple and their daughter standing on their bed, which was covered with water. By means of a plank they were enabled to reach the boats, and in less than a minute afterwards the hovel was carried away by the force of the tide. Walls, which had been erected to keep out the water, were in many places thrown down. The water flowed up the sewers with such tremendous violence, that a number of drains were burst open, and the flood then poured into the houses in torrents, bursting open doors and windows, and carrying everything before it. Millbank, the Bishop's-walk, in front of Lambeth-palace, the Tower-wharf, and the bank at Mill-wall, were inundated. The Temple-gardens were also partially overflowed. The tide rose so high on the Tower-wharf that it obtained admission into the interior part of the fortress, and overflowed the cellars filled with government stores. The streets near the river presented a very animated scene during the day from the number of persons occupied in pumping the water out of their cellars; but they had scarcely emptied them, when the evening tide again rose to nearly the same height as that of the morning, and compelled them to perform the same work over again. These high tides were caused by the sudden change of the wind from the south-west to the north-east, and the addition of the land waters, occa-

sioned by the heavy and long-continued rains. The combined action of the hurricane and the flood loosened many of the decayed stones of the piers of Blackfriars-bridge, and carried away some loose fragments.

30. POLITICAL DUEL AT PARIS.

—A meeting with pistols took place in the Bois de Boulogne this morning, between general Bugeaud and M. Dulong, both members of the Chamber of Deputies, which proved fatal to the latter. The seconds of general Bugeaud were general de Rumigny and colonel Lamy, and those of his adversary, M. Georges Lafayette and colonel César Bacot. The parties were placed at forty paces. They were advancing and taking aim at each other, but had scarcely moved two paces when general Bugeaud fired and M. Dulong fell. The ball, which struck him in the forehead, a little above the left eyebrow, entered and remained in the head. He was immediately bled on the ground, and afterwards conveyed home in the carriage of M. Georges Lafayette. At two o'clock he was again bled very copiously, but after he was wounded his senses never returned for a single moment, and he expired at six on the following morning. The original cause of the duel arose out of a debate on Saturday, in the Chamber of Deputies, on the subject of the conduct of the officers of the artillery, and out of the following report given by the *Journal des Débats* of interruptions that occurred:—Marshal Soult—"A military man is bound to obey." M. Larabit—"The President of the Council observes that they are bound to obey. I admit it; but when they have right on their side, and an attempt is made to

force them to draw back, then, gentlemen, they may renounce obedience." (Numerous members, "Never! never!") General Bugeaud—"They ought in the first instance to obey!" M. Dulong (in the midst of the noise)—"Must they obey so far as to become a gaoler?—(great tumult)—even unto ignominy?" In consequence of explanations which this report gave rise to, M. Dulong had written a letter which was to have been inserted in the *Journal des Débats* on Tuesday, but on Monday evening the ministerial evening Journal mentioned the circumstance in the following terms—"The *Journal des Débats* of yesterday reported an outrageous expression addressed by M. Dulong to General Bugeaud. It was today stated in the Chamber, that the hon. General had demanded satisfaction, and required a letter from M. Dulong, which will appear to-morrow in the *Journal des Débats*." The manner in which the step taken by M. Dulong was represented in this paragraph induced him to demand of General Bugeaud to give him his letter back again, and place himself at his disposal. This note led to a renewal of the quarrel: and though General Bugeaud declared that he would accept any explanations that the seconds would consent to, the affair unfortunately was not arranged.

General Lafayette and Messrs. Berard, Arago, Tardieu, Larabit, and Jules Taschereau, were formed into a committee for directing the funeral of the unfortunate M. Dulong; and the central committee of the Free Association for the education of the people, of which M. Dulong was a member, invited the members of

the association to attend in a body.

WESTMINSTER HOSPITAL—A MAN PORCUPINE!—A middle-aged man, of very athletic and robust form of body, presented himself at the hospital a few days ago, in order to show himself to the surgeons and students of the establishment. He is completely covered with a green horny substance in the form of quills, not dissimilar to those which are produced on the porcupine. The parts which have escaped the deformity are his face, the palms of his hands, and soles of his feet; every other part of his person is abundantly supplied with this green horney substance. He sheds his horns or quills annually, and a fresh crop succeeds. He has been thus afflicted since his earliest infancy, and all the male members of his family, down from the great grandfather, have been similarly affected. His general health is excellent, and his secretions very regular. A model has been taken of him in one of the Borough hospitals.

FEBRUARY.

1. COURT MARTIAL ON CAPTAIN WATHEN.—At a general Court Martial, held at Cork on the 23rd day of December, 1833, and continued by adjournments to the 16th of January, 1834, Captain Augustus Wathen, of the 15th, or King's Hussars, was arraigned on the undermentioned charges, viz.: —“ 1st. For that he, Captain Wathen, of the 15th Hussars, did on the 8th of November, 1833, at Cork, at the half-yearly inspection of the 15th Hussars, voluntarily state, in an invidious and improper manner, to Major-general

Sir Thomas Arbuthnot, that an unusual supply of new stable-jackets had been issued to the men of his troops, and which had been sent from the tailor's shop without his knowledge, thereby imputing improper conduct to Lieutenant-Colonel Lord Brudenell, his commanding officer, although it is the custom of the service to issue new stable-jackets to cavalry soldiers as they may require them. 2nd. For conduct unbecoming the character of an officer and a gentleman, in first having stated to Major-general Sir Thomas Arbuthnot, on Friday, the said 8th of November, at the place aforesaid, that he had been informed by the serjeants of his troops, ‘that the men were discontented at having new stable-jackets delivered out to them,’ such statement being contrary to the fact; and having afterwards, on the same day, in an improper and disrespectful manner, when addressed by the Major-general, denied having made the above statement, which denial he Captain Wathen, repeated to the Major-general on the Monday following. 3rd. For conduct unbecoming the character of an officer and a gentleman, in stating to Major-general Sir Thomas Arbuthnot, on the said 8th of November, at the place aforesaid, that he had reported or mentioned to Lieutenant Colonel Lord Brudenell that ‘the men of his troop expressed discontent at having new stable-jackets delivered out to them,’ which statement was directly contrary to truth and fact. 4th. For conduct unbecoming the character of an officer and a gentleman, in having, in a letter addressed to his said commanding officer, Lieutenant-Colonel Lord Brudenell, dated November 12, 1833, made a statement contrary

to truth and fact—viz., ‘that in compliance with instructions conveyed to him by the adjutant, on the evening of the said 8th of November, after the inspection, he had assembled his troop after evening stables, to convey to them the Major-general’s approbation of their appearance, &c.’; whereas he, Captain Wathen, did not, on that evening, obey Lieutenant-Colonel Lord Brudenell’s orders to the above effect, conveyed to him through the adjutant. 5th. For that he, Captain Wathen, after having assembled the men of his troop, on Saturday, the 9th of November, 1833, at the place aforesaid, addressed them in an irregular and unofficer-like manner, by then and there not confining himself to communicating to them the Major-general’s approbation of the regiment, but in adding, that some strangers, or civilians, had particularly remarked the soldier-like appearance of his troop,—or words to that effect; and also saying, that he had no doubt that had they gone on service, they would have done their duty as well as any other troop, notwithstanding any unpleasant circumstances which had occurred in the troop, or words to that effect; which address was highly improper, inasmuch as allusion was therein made to Lieutenant-Colonel Lord Brudenell’s recent censure on the want of attention to the care of the horses in Captain Wathen’s troop. 6th. For having, on the 12th of November, 1833, at the place aforesaid, refused to obey an order then given to him by Lieutenant-Colonel Lord Brudenell, his commanding officer, to repeat verbally what he had said to his men on the said Saturday, the 9th of November; and in having afterwards, when permitted

by his said commanding officer to commit to writing the nature of the said address to his troop, repeatedly refused to obey the order then and there verbally given to him by his said commanding officer, to leave his written statement locked up in the Regimental-office during his absence at parade. Such conduct being insubordinate, unbecoming the character of an officer and a gentleman, to the prejudice of good order and military discipline, and in breach of the articles of war. Upon which charges the Court came to the following decision:—

“The Court having taken into its serious consideration the evidence produced in support of the charges against the prisoner, Captain Augustus Wathen, his defence and the evidence he has adduced, is of opinion, that he is not guilty of any of the charges preferred against him. The Court, therefore, honourably acquits him of each and of all the charges. Bearing in mind the whole process and tendency of this trial, the Court cannot refrain from animadverting on the peculiar and extraordinary measures which have been resorted to by the prosecutor. Whatever may have been his motives for instituting charges of so serious a nature against Captain Wathen (and they cannot ascribe them solely to a wish to uphold the honour and interests of the army), his conduct has been reprehensible in advancing such various and weighty assertions to be submitted before a public tribunal, without some sure grounds of establishing the facts. It appears in the recorded minutes of these proceedings, that a junior officer was listened to, and non-commissioned officers and soldiers examined with the view of finding out

from them how, in particular instances, the officers had executed their respective duties; a practice in every respect most dangerous to the discipline and the subordination of the corps, and highly detrimental to that harmony and good feeling which ought to exist between officers. Another practice has been introduced into the 15th Hussars, which calls imperatively for the notice and animadversion of the Court—the system of having the conversations of officers taken down in the orderly-room without their knowledge, a practice which cannot be considered otherwise than revolting to every proper and honourable feeling of a gentleman, and as being certain to create disunion, and to be most injurious to his majesty's service."

His majesty has been pleased to approve and confirm the finding of the Court. Although it would appear, upon an attentive perusal of the whole of the proceedings, that some parts of the evidence might reasonably bear a construction less unfavourable to the prosecutor than that which the Court have thought it their duty to place upon them, yet, upon a full consideration of all the circumstances of the case, his Majesty has been pleased to order that Lieutenant-colonel Lord Brudenell shall be removed from the command of the 15th Hussars.

8. SURREY SESSIONS.—John Crofts, a stout fellow, in the garb of a countryman, was indicted for entering the house of a poor widow woman at Cheddingford, in the county of Surrey, and stealing therefrom all the little property she was possessed of in the world.

On the day mentioned in the indictment, the prosecutrix having occasion to go to the next village, locked up her cottage. On her return,

in a few hours afterwards, she was alarmed on her approach, to see a man in the act of leaving the cottage, carrying a large bundle in his arms. On perceiving her, the fellow made a precipitate retreat towards a wood in the vicinity of the place, and was soon out of sight. The widow remained almost motionless through fright; but at length, she walked towards her cottage door, which was open, and on entering the dwelling, she found that it had been ransacked of everything of a portable nature that it contained. Her distress on this discovery was excessive; and in her anguish of mind she rushed out of the cottage into the road, uttering loud lamentations. At this critical moment a pack of hounds in full cry after a fox, happened to be passing that way, followed by Colonel Wyndham, Colonel Vandeleur, and several gentlemen of the county. The moment the sportsmen beheld the widow, they stopped to inquire the cause of her sorrow, leaving the dogs unattended in their pursuit after reynard. In a few broken sentences, rendered almost inaudible by grief, she told what had occurred, and, pointing to the wood, said, that she saw the thief disappear a short time before in the thicket. Colonel Wyndham immediately suggested, that the wood should be beat up, to try if the thief had not taken cover there, a proposition which met with the approbation of all the sportsmen. The wood was surrounded in such a manner as to render escape impracticable, while Colonel Vandeleur, accompanied by the two whippers-in, entered the thicket for the purpose of beating up for the game they had in view. The whippers-in had not proceeded far when they

discovered the prisoner squatted in the bushes, and the bundle containing the whole of the widow's property close beside him. He was led from his place of concealment in triumph by Colonel Vandeleur and the whippers-in, while shouts rent the air from those who were stationed on the outskirts of the wood to cut off his retreat. The prisoner was then conveyed to the widow's house, and when the bundle containing her all was produced, she manifested the greatest joy. In the course of the examination of the various articles taken by the prisoner on the occasion, the widow complained in doleful accents, that she missed the wedding ring of her poor dear first husband. Colonel Vandeleur, on hearing this, undertook the office of constable, and immediately proceeded to search the accused, when, to the delight of the widow's eyes, the ring, wrapped up in paper in which it had remained for years, was found in the prisoner's waistcoat pocket.

The jury found the prisoner "Guilty;" and he was sentenced to transportation for life.

11. DEATH OF JUDGE BOULDIN.—The proceedings of the House of Representatives of the United States were this day interrupted by the tragical death of Mr. Bouldin, from Virginia. Mr. Bouldin was the successor of the late John Randolph, of Roanoke, and having risen to address the house, began his speech by apologizing for having declined hitherto to ask the usual tribute to the great orator, who died a member of the house, and who, while living, had made it illustrious by his eloquence—when, in the act of offering his remarks, the judge fell dead in the arms of one of the members near him. Mrs. Bouldin

witnessed from the gallery the fall of her husband; and finding when she approached him, that all attempts to restore life were in vain, uttered the most piercing shrieks. She was borne from the hall, and her husband's remains were carried to the Speaker's room, to await the order of the house in relation to his funeral.

11. COURT OF KING'S BENCH
—*Cording v. Ballantine, Esq.*—

This was an action against Mr. Ballantine, one of the magistrates of the Thames Police-office, for false imprisonment. The plaintiff, who is a pawnbroker in Ratcliffe-highway, was summoned before the magistrates by a person who had pawned with him a gun which had been destroyed by an accidental fire at the plaintiff's house, and who claimed to be entitled to the value of the article beyond the sum for which it was pledged. Upon that occasion, Mr. Ballantine, the sitting magistrate, was of opinion, on the construction of the Pawnbrokers' Act, that the plaintiff was liable to pay the sum, and he accordingly made an order, which the plaintiff refused to obey, and appealed to the sessions. On the matter coming before the quarter sessions, Mr. Marriott, the then chairman, was of opinion, that the sessions had no jurisdiction, as an appeal was only allowed upon a conviction, and not upon a mere order of justices; and the appeal was therefore dismissed. The applicant then applied to the magistrates for a warrant to enforce the payment of the sum claimed, and the warrant was issued on the 7th of November, 1832. The plaintiff, however, refused to pay the money, and appeared, with several of his friends, assisted by Mr. Alley, the counsel, before the magistrates on the 12th

of November. It was on that occasion contended, that by the act of parliament a pawnbroker was not liable for any loss or damage occurring to goods in his possession, unless happening through his neglect or wilful misconduct; and the loss in this case being occasioned by an accidental fire, the plaintiff could not be considered responsible. An opinion of Sir James Scarlett to that effect was shown to the magistrate, on which opinion the learned counsel stated, that the act was very obscurely worded; but taking the 14th and 24th clauses together, he was inclined to think, that a pawnbroker was not liable in such a case. Mr. Ballantine, however, said, that although he had a high respect for the opinion of Sir James Scarlett, he was bound to act on his own judgment, and as he had no doubt that the intention of the legislature was to compel pawnbrokers to make good any loss arising from destruction or damage of goods, he felt himself bound to grant a warrant to commit Mr. Cording to the House of Correction, until he paid the sum claimed. The plaintiff, Mr. Cording, having been advised by Mr. Serjeant Andrews and Mr. Follett to resist the payment, refused to obey the order of the magistrate, and was then taken to the House of Correction, where he remained from the 12th to the 15th of November. While there, he was put upon prison allowance, but was permitted to be in the best room in the building, where there were not more than two or three other persons. On the 15th of November he was brought up to the Court of King's Bench by a writ of *habeas corpus*, when, after a long argument, the Court decided, that although it was pro-

bably the intention of the legislature to provide compensation to the owners of the goods lost or damaged while in the possession of pawnbrokers, yet as that had not been distinctly expressed in the act of parliament, in a case where the liberty of the subject was concerned, the intention could not be implied, and the plaintiff was therefore entitled to his discharge. Upon this state of facts the present action was brought; and it was now contended, on the part of the plaintiff, that although the defendant had not been actuated by any improper motive, he was clearly mistaken in point of law, and by his obstinately adhering to his opinion, he had put the plaintiff to great expense and inconvenience, for which he (the plaintiff) was entitled to an adequate compensation in damages. Several witnesses who were called proved the facts above stated. It was attempted to be shown that the plaintiff had suffered greatly, both in body and mind, from his imprisonment; but it was stated by the governor of the gaol, that he had been treated with every indulgence consistent with the rules of the prison, and that he had been repeatedly advised to pay the 3*l.* 9*s.*, which would have entitled him to his discharge, and enabled him to raise the question, and to bring this action, if the point should be decided in his favour. On the part of the defendant, it was urged, that the magistrate was bound by his oath to act upon the opinion he had formed upon an act of parliament, which was admitted to be so obscurely worded, that the most eminent counsel were unable to form a decided opinion upon it, and which the Court of King's Bench, after a long argument, declared to be very dif-

ficult of construction. The plaintiff might have obtained a formal conviction, to enable him to raise the question, without subjecting himself to the inconvenience of going to prison ; but as he had thought proper to take that course, under the advice of counsel, the consequences could not be fairly charged upon the defendant, who, it was admitted, had acted without any improper motive ; and it might even be doubtful at the present moment, whether he had not put the proper construction upon the act of parliament. At all events, supposing him to be mistaken in point of law, upon notice being given of the plaintiff's intention to bring this action he had tendered the sum of 40*l.*, which he considered sufficient amends, as it appeared by the evidence on the part of the plaintiff that the proceedings had cost him only a sum of 43*l.*

The learned judge, in summing up, said, the only question for the jury was, whether the sum which had been tendered by the defendant was sufficient compensation for the injury which the plaintiff had received. The Court of King's Bench had undoubtedly decided, that the warrant upon which he had been committed was illegal, and therefore the plaintiff was entitled to recover a compensation in damages ; but if the jury thought that the sum of 40*l.* was sufficient, they must find a verdict for the defendant. It must also be observed, that although the court had been of opinion that the defendant was wrong in his construction of the act of parliament, the act was one upon which it was extremely difficult to come to a satisfactory conclusion : and as it had been in the power of the plaintiff to obtain a decision upon the point by taking

a different course, and it appeared, that by going to prison he had at least the benefit of having the question decided in three days, the jury would take into consideration the circumstances under which the defendant had acted, and say, whether they thought the plaintiff had really suffered so much injury as to entitle him to a larger sum than that which had been tendered.

The Jury found for the plaintiff—Damages 130*l.*

14. EXTRAORDINARY TRIAL FOR MURDER.—A very singular charge of murder, supported by circumstantial evidence, was tried before the Dublin Commission Court, and terminated by the conviction of the parties accused.

A man and his wife, named Thomas and Maria Canning, went to reside at No. 14, Upper Stephen-street, early in January last. A man named Patrick Martin, who had been lodging in the same house with the Cannings previous to their removal, followed them to Stephen-street. On Monday evening after Christmas, Mrs. Canning left her lodgings, accompanied by Martin, with whom, it appeared, she had formed an illicit connexion, and did not return until the following Thursday. A violent altercation was proved to have taken place between her and her paramour relative to a sum of money which she alleged that Martin had taken from her and her husband. All the parties were intoxicated at the time, including the husband, who was lying asleep in the corner of the apartment when the dispute took place. The next morning Mrs. Canning and Martin again left their lodgings together, and she did not return until the following Sunday. Martin came back the

day after. On the 15th of January, at 6 o'clock in the morning, a woman who resided in the same house went into Canning's room to light a candle, when she found Canning's wife and Martin drinking whisky; the husband was then in the room. This witness did not see Canning again until night, when his wife came up to her bed-side, at 12 o'clock, with a bottle of whisky in her hand, and gave the witness and her husband a glass each. Mrs. Canning then left the room. In a few minutes after, the witness recollected that she had left a favourite cat in the lobby, and being anxious to get "another sup," went down to Canning's room to light a candle, in order that she might be again asked to drink. She found Mrs. Canning and Martin sitting at the fire together, but did not then see the deceased. They told her they had no more whisky, but gave her money to bring in another pint, which she did; and Martin, after desiring her to sit down, mixed some punch, which the witness helped them to drink. Canning's wife at length said "I believe I will give poor Tom a sup," and, went to the bed in the room, apparently for that purpose. Martin said, "D—n her, if she gives him the drink he will be jawing until morning." She, however, persisted; but on raising the curtain, she turned round and said, that her husband was quite cold. Witness immediately called in an apothecary in the neighbourhood, when it was found that the husband had been dead at least two hours. A lad named Evans, an assistant in a druggist's shop, proved that he had sold Martin two bottles of laudanum and two quantities of arsenic at four different periods of the day previous to Canning's

VOL. LXXVI.

death. The first portion of arsenic had essential oil of aniseed mixed with it. Three medical gentlemen deposed, that they had examined the contents of the stomach of the deceased, and that a large quantity of arsenic, smelling of essential oil of aniseed, formed a portion of them. A woman living next door to the house 14, Stephen-street, swore, that on the evening before she heard of Canning's death something was thrown into the yard of her house, and in the morning she found a laudanum bottle, unbroken, although flung over a high wall. This the apothecary's apprentice identified as that in which he gave the laudanum to Martin. Upon this testimony, the jury found a verdict of "Guilty" against Martin and the wife of the deceased, the latter of whom they recommended to mercy. The female asserted her innocence. Judge Burton, who presided, sentenced both prisoners to be executed on the following Monday.

15. PARIS.—The Court of Assizes was occupied with the trial of the Count de Kergorlay and M. Dieudé, responsible editor of the *Quotidienne*. M. Dieudé was charged with attacking the rights of the king, by the insertion of two articles in the *Quotidienne* of November 12th. The one was a letter addressed by the Count de Kergorlay to the President of the Electoral College of Mery, in which,—after stating the reasons which prevented him from going to vote, namely, that he should be obliged to take an oath to Louis Philippe, "an oath contrary to the fundamental law of the country and the will of the nation,"—he avowed his fidelity to Henry V., and protested "against the Royalty of August 7th, as he did on that

day when the first subject of the young king seated himself upon his throne." The other article was an account of the presentations of the legitimatist deputation from Bordeaux to Henry V., at Prague, and their address to him on the day he became of age, in which they styled him king of France, swore fidelity to him, and invited him to march whither his destiny called him. The Count de Kergorlay was charged as an accomplice, being the author of the letter. M. Berryer demanded permission to read the incriminated articles, and was proceeding, when he became so much affected that it was necessary to give the latter article to the registrar to conclude. Many of the dowagers and other ladies present clapped their hands upon observing M. Berryer weep, and some of themselves also shed tears. The President ordered those who disturbed the Court to be turned out, and several persons who were standing at the door were expelled. On departing, some exclaimed, *Vive le Duc de Bordeaux*. The President stated, that the orders he had given should be enforced, as it was necessary to keep the minds of the jury free from political passions. After M. Ayliès, substitute for the Procureur du Roi, had spoken in support of the prosecution, the Count de Kergorlay rose, and read a long address in his defence, which was merely a development of the principles laid down in his letter. Having several times indulged in vituperation against the king, he was repeatedly interrupted and called to order by the President. M. Ayliès said, that, were it not for the Count's great age, he would call upon the court to punish him for the offensive language he made

use of. M. Battier, counsel for the Count, spoke at some length, aiming principally to combat the political oath and electoral monopoly. M. Berryer then pleaded for M. Dieudé, arguing, that, the people being sovereign, and the elector being the representative of a mass of the citizens, he had a right to render an account of his convictions, and the motives that guided his conduct to the country. M. Ayliès delivered a vehement reply amidst the continual murmurs of the audience, concluding with the following appeal to the jury:—"If you deliver a verdict of acquittal, you will have thrown the elements of disorder and anarchy into society." At half-past 5 the jury retired, and after an hour's deliberation returned, and pronounced a verdict of "Not Guilty" in favour of both the accused.

16. GREAT LENSES IN ONE PIECE.—At the meeting of the Royal Society of Edinburgh on Monday, in addition to the other business of the night, three splendid polyzonal lenses were exhibited by permission of the Commissioners of the Northern Lighthouses. One of these was made in Paris; another in London; and the third in Newcastle. The diameter of the outer zone of two of these lenses is two feet six inches, and that of the London instrument is three feet. Their focal distance is about three feet. At the desire of Mr. Robinson, the secretary, a single argand burner was placed in the focus of one of the lenses, but the effect was feeble, as this instrument requires a powerful light. By exposing it to the rays of the sun it suddenly melts picces of copper and other metals placed in its focus. The Newcastle lens is made

of one piece of highly polished glass. Buffon, nearly a century ago, first suggested the idea of a polyzonal burning-glass; but the construction of this instrument has till now been considered beyond the skill of the artist, and the method of building them in separate pieces was afterwards suggested and practised both in this country and in France. Messrs. Corkton, however, the plate-glass makers of Newcastle, at length triumphed over the difficulties which so long retarded the execution of Buffon's project. These lenses are about to be removed to Gullane-hill, where their effect will be fully tried, along with the light invented by Lieutenant Drummond, from the experiment-rooms of the Northern Lighthouse Board.

✕ 17. EAST INDIA AND CHINA TRADE.—Mr. J. Horsley Palmer took the Chair at the meeting of the City of London Tavern, shortly after 1 o'clock, and proceeded to address the meeting to the following effect:—He conceived it to be necessary that he should state the causes which had led to the object for which they were now assembled. As soon as the alterations made by the Government in the tea trade became known, the merchants of London expected to have found some regulations made, by which they would have been enabled to take the place of the East-India Company, as regarded that trade; and when the matter was first agitated, all means then in the power of the merchants were made use of to obtain from the Board of Control some determination in favour of that object, but all those efforts were at that time ineffectual. The consequence was, that on the 2nd of January last about twenty or thirty of the most influential

persons concerned in that branch of commerce formed a committee, which was desired to take the earliest possible means of bringing the Government to a determination on the following points. The matters to the settlement of which the committee were to address themselves were—1. The disposal of the enormous stock of tea in the possession of the East-India Company, without the regulation of which question it would be impossible for any merchants to embark in competition upon any fair and equitable terms. 2. The better arrangement of the scale of duties on tea fixed upon under the late act of the legislature, to act upon which with any regularity or fairness was impossible, and which in fact opened the door for the commission of frauds, and for the encouragement of the illicit trader. 3. A question of vital importance to the trade—viz. the duties imposed by the Order in Council on goods in the port of Canton, the operation of which, unless under better arrangement, would be so prejudicial to the interests of the trade, that it was quite monstrous that they should ever have been proposed, and by which the trade would be exposed to such difficulties that they would never be able to go on, or would be obliged to open a new outport. 4. What was the intention of the East-India Company as to advances on tea cargoes and India cargoes, looking at the present state of the exchange and of their charter—a matter which, if not properly settled, would effect such an alteration in the exchange and prices as to prove (for a time at least) most detrimental, ruinous, and destructive to the commerce of India, already affected by the state of credit

in Bengal, and more so by the state of the remittances of the Company to this country. 5. Whether the limits of the port of Canton were to be considered as sufficiently defined simply by the letter from the Board of Control to Lloyd's. And, 6. Whether the Commissioners appointed for the port of Canton were to have authority elsewhere—a matter, of the importance of which the House of Commons could not have been made properly aware. A meeting was now held, and the report of the committee was read. It concluded as follows, with the decision of the Government upon the six questions submitted, that determination having been communicated by Earl Grey on the 13th inst.:—

“1. That the East-India Company will give instructions to their agents in China, and to their governments in India, presuming no unforeseen impediments to arise from the state of the Indian finances, to make advances upon the cargoes to be shipped in India and China for this country in the course of the present year, under certain regulations, which may be seen at the secretary's office at the East-India-house, such advances for the year 1834 being limited to about the sum of 1,000,000*l.* or 1,200,000*l.* sterling, a moiety of which will be applicable to the shipments from China. The committee were further informed that in future years the amount of the advances will probably be considerably increased. That the rates of exchange for bills taken in India and China will be fixed at the time of making the advances at the rates then current. That parties wishing to avail themselves of the opportunity of

fixing the rates of exchange upon the commencement of their operations in this country may take advantage of the East-India Company's offer to draw direct from London upon their government at Calcutta. 2. That the East-India Company will limit their sales of tea in 1835 to 16,000,000 of pounds, unless the market value should, during that year, exceed the proposed upset prices now advertised for the sale in June next, in which case they reserve to themselves the right to put up for sale at such upset prices any further quantity which they may deem to be expedient. 3. That his Majesty's Government will not at present make any alteration in the proposed scale or mode for collecting the duties upon tea after the 24th of April next. 4. That his majesty's ministers will recommend to Parliament to withdraw the duties proposed to be levied by the late Orders in Council upon the British trade and shipping in the port of Canton, provided the East-India Company will concur in defraying one-third of the charge for maintaining the consulate establishment at that port. The committee also reported, that they were informed, at their interview with his majesty's ministers on the 7th inst., that the construction of Government as to the limits on the port of Canton was in conformity with the letter addressed to the chairman of Lloyd's,—viz. within the Bopa Tigris; and that the President of the Board of Control would give any more formal assurance to that effect which the merchants might require. It was further stated to the committee, at the same interview, that the commissioners at Canton had no authority to extend

the exercise of their powers to any other port in China than Canton, without a previous declaration to that effect in the *London Gazette*; and that the commissioners would take no cognizance of any clearances of ships and cargoes for the United Kingdom from any other part of the Chinese empire than the port of Canton."

PRINCE HOHENLOHE.—Prince Hohenlohe, it is said, has ceased to work miracles. He received one day a letter entreating him to say four masses for a young lady who had her left leg four inches shorter than her right. The number four had been written in cipher; the writing was indistinct; the Prince read eight, in place of four, and said eight masses. His success, so goes the story, was complete; for the left leg, having grown an inch at every mass, was now four inches longer than the right. The prince was so deeply afflicted with this successful result of his prayers, that he has renounced all future attempts, and transferred his remaining stock of miraculous power to the Frau Schumann, an old woman living at Sommdorf, in Saxony, to whose house the credulous now direct their steps.

PERSECUTION OF THE NATIONAL NEWSPAPER.—BY THE FRENCH GOVERNMENT.—Sentence has been recently passed by the Court of Assizes against the *National de 1834*, for an alleged infraction of the interdict formerly pronounced against the *National*. The case of the *National* was in both instances heard and decided by the court without the intervention of a jury, in virtue of a law passed in 1822, which empowered the Court to pronounce such an interdict as the

one in question. In the first instance this paper was tried and condemned, not for having given an incorrect report, but only on account of a leading article commenting on the regular report in another part of the paper, and which leading article the court considered as a regular report, regardless of the one inserted in the very same paper, whose accuracy was not denied. In order to throw off this interdict, the *National* underwent a variety of changes in the forms of its proprietary and editorship, so as to appear, in strict conformity with the law, a new paper. It was for an infraction of the interdict on the old *National* committed by the new *National*, that it has been prosecuted, and although proof was given that the present *National*, according to the letter of the law, is not the same paper as the one which formerly bore a similar name, the judges condemned its two responsible editors, Messrs. Carrel and Conseil to two months' imprisonment, and a fine of 2,000 francs each.

24. SPOUTING CLUBS.—A man named Rose, a member of a club which holds its meetings at the White Horse, in Bermondsey, applied for an assault warrant against another member, for pulling his nose in presence of the whole society. The applicant said, that a debate took place on the affairs of Ireland and Dan O'Connell, during which politics were freely discussed on both sides of the question. At length a motion was made, which was seconded by the applicant, and ultimately carried. This gave great offence to one person in the company, who immediately attacked the applicant with a torrent of abuse, and upon a retort

being given, he jumped up in a rage, and seizing the applicant's nose between his finger and thumb gave him such a twinge as to force him to cry out with pain. This set the assembly in a roar, and although, even after this degradation, the applicant expressed his willingness to accept of a public apology, his assailant refused to make one, and he was therefore compelled to seek redress. Mr. Traill (the magistrate) inquired whether the applicant had resented the assault? The reply was that he had not; and although he admitted having got the best of the argument at the White Horse, yet that was no reason why his nose should be pulled by any member of the society. Mr. Traill, smiling, observed, that, *even* in the House of Commons, such conduct as that ascribed to the member of the spouting club would not be tolerated: therefore he could not in justice refuse the applicant the warrant.

EXTRAORDINARY TRIAL IN FRANCE.—The Court of Assize at Paris was last week occupied for several days with the investigation of a case of alleged robbery and adultery, which involved some extraordinary circumstances. The prisoners were three in number,—Champes, a married woman named Ruidiaz, and a locksmith named Gilbert. According to the indictment, it appeared that M. Ruidiaz, the prosecutor was a merchant in an extensive way of business, and Champes was charged not only with committing adultery with his wife, but also with robbing him of a sum of 54,000 francs, a bank note of 1,000 francs, and several objects of value, a watch, &c. Ruidiaz, it having fallen ill, was

desirous of finding some confidential person to look after his business at Bordeaux, where he also had an establishment. Champes pretended to be very much attached to his master, and with this hypocritical pretence, he watched over him while he was ill in bed, and while so employed, as it was alleged, he administered to the patient a soporific beverage, under the operation of which he was enabled to procure the key of the chest in which the money was deposited. He then had a new key made, and the old one was replaced without its being discovered that a model had been taken. The wife, it was alleged, aided Champes in his criminal projects, and not only assisted in the robbery of her husband, but also dishonoured him. Gilbert was charged as an accomplice in the robbery. Several letters were read from Madame Ruidiaz to Champes, which, if not conclusive as to her guilt, left little doubt of highly criminal conduct. Madame Ruidiaz, when introduced into Court, excited considerable sympathy from her personal appearance. She stated that she was only twenty-two, and she possessed great beauty. The counsel for Champes endeavoured to show that the charge of adultery ought to be removed from the indictment, on the ground that since the accusation had been made, Ruidiaz had received his wife on the same terms as before. The Court, however, decided, that the whole case should go to the jury. The only evidence to connect Gilbert with the robbery was, that a person answering his description had ordered a key like that of Ruidiaz's chest.—M. Ruidiaz deposed to the state of destitution in which Champes was when he

first met with him, and also to his having missed the sums stated in the indictment, under circumstances of strong suspicion against that person. He also deposed to his having accused his wife of adultery, which she had scarcely denied. He, however, strongly denied that he had ever said he would be reconciled to her.—One Drouin, deposed that Madame Ruidiaz, who was his cousin, had told him to get a key made like that belonging to her husband's money-chest, and that he ordered the prisoner Gilbert to make it. Drouin admitted that he had formerly resided with M. and Madame Ruidiaz; and that the reason he left them was because M. Ruidiaz thought his bed was too near to Madam Ruidiaz's parlour. The counsel for the prosecution, in the course of the proceedings, insinuated, that a writing-master, who had instructed Madame Ruidiaz, had been secretly introduced into her bed-chamber, and that he had been expelled from the house by M. Ruidiaz: upon which the counsel on the other side insisted that the person who had made the statement should be called. That person having been sent for, the question was put, but the witness unequivocally denied the statement. When this further accusation was made, Madame Ruidiaz fainted, and the evidence was frequently interrupted by her sighs. Champes preserved the utmost silence, and seemed quite unmoved. At midnight the jury retired, and in half an hour acquitted the female prisoner and Champes of adultery, but found Champes guilty of knowingly receiving the sum of 1,000 francs. He was, however acquitted of the charge so far as

regarded the 54,000 francs. Gilbert was acquitted. Champes was sentenced to a year's imprisonment, and was besides condemned to restore the sum of 1,000 francs.

24. PRECAUTIONS AGAINST THE PRESS IN PARIS.—During the whole of the afternoon and evening, Paris had the appearance of being threatened with a serious *émeute*. Strong bodies of municipal guards, national guards, and troops of the line, were stationed in various parts of the Boulevards, from the Boulevard des Italiens to the Boulevard du Temple, and the whole force of Sergens de Ville, assisted by a considerable number of extra functionaries of the police, was called into requisition. The Place de la Bourse seemed, above all other parts of Paris, to require the vigilance of the police. All these formidable preparations were made for the purpose of enforcing the new law against the sellers and hawkers of printed publications in the streets. Some three or four months ago M. Rodde, the editor and conductor of a popular journal called *Bon Sens* (sold in the streets for two sous a-copy), complained of the impediments opposed by the police to the sale of his paper; and he announced his intention of proceeding in person on Sunday, at a fixed hour, to the Place de la Bourse, to offer it for sale himself; and, as there was no law against such a proceeding, he declared that, if any policeman or other person should venture to offer any interruption or impediment to his sale, he should be prepared to oppose force by force to any extreme, and would, if necessary, sacrifice his life in the support of his unquestionable right. M. Rodde did as he had announced he would do. At

2 o'clock (on a Sunday) he commenced his sale on the Place de la Bourse, and such was the crowd that had been attracted to the spot, that the whole of his copies were disposed of in the course of ten minutes. No policeman appeared, but it was understood that a large force had been stationed in different parts around the Place de la Bourse, merely to be able to repress any tumult or disorder which might occur among so numerous a crowd as that which was expected to be there. M. Rodde had announced his intention of repairing again yesterday to the Place de la Bourse, there to offer his paper for sale, without providing himself with a permit of the police for that purpose, as required by the new law. It was, therefore, deemed prudent to take such steps as would render his plan impracticable, and it was with that view that a large force was employed, so as to block up entirely all the avenues leading to the Place de la Bourse. The Place itself was cleared, and from 1 o'clock till late in the night, it was in the possession of a strong body of mounted municipal guards, who suffered no one except persons residing on the spot to approach it. Curiosity and the extreme beauty of the weather had brought nearly the whole population of the capital into the streets, those especially which led immediately to the Bourse being excessively crowded the whole day. The vast array of military was of itself a spectacle sufficient to attract and fix a great number of gazers. As to M. Rodde, he was prevented from attempting to execute his announced project of setting at defi-

the new law, by a circumstance which he had not foreseen.
re the hour he had fixed

for that purpose, the applications made at his office for copies of the day's paper were so numerous, that the whole of his edition became exhausted, and none remained to offer on the Place de la Bourse.

The sale of another similar publication, *Le Populaire*, was, in the morning, resisted by the Sergens de Ville in the quarter of the Porte St. Martin, and some scenes of violence occurred there in consequence.

25. MYSTERIOUS OCCURRENCE.—ABINGDON.—On Thursday, the 20th, a human skeleton was exhumed by a man, while ditching, about a furlong from the public-house at Foxcombe-hill. This circumstance awakened, in the remembrance of many, tales that had been related again and again for the last twenty years by an old man, John Viner, an inhabitant of Sunningwell, a notorious reprobate, but, at the same time, such an inveterate liar, that not the least dependence could be placed on any statement that he uttered. The substance of these tales was, that, when a boy, about ten or twelve years of age, he lived as a servant with a farmer of the name of Hedges, who resided at Bayworth—that he and his master had been to fetch some pigs, which were so unmanageable, that it was almost dark before they reached the Fox, which is the public-house above alluded to—that, his master having made up his mind to leave the pigs there all night, they went into the house to take some refreshment—that, in the course of the evening, a Scotchman, who arrived with a large pack, expressed a desire to sleep there, but was informed by Chapman, the landlord, that he could not be accommodated—that these two had a quarrel

when the Scotchman was about to pay his reckoning, and that Chapman made the poker red-hot, and swore that he would run the former through the heart—that, subsequently, this misunderstanding was adjusted, and the Scotchman observed, as he could not sleep there, he must get on towards Oxford; but as he was a stranger, and might easily miss the right road, the landlord, and Hedges who was going in the same direction, and Viner, accompanied him—that the party having arrived at a certain point, Hedges directed him (Viner) to stay there, and give the alarm if he heard or saw any one approaching—that he did remain there until he was convinced that the Scotchman had been murdered and buried, which occupied about an hour, when Chapman returned to the Fox, and Hedges and he went home to Bayworth, when his master gave him a pocketful of half-pence as “hush-money;” that his master never after refused him money when he demanded it, and had also promised him a considerable legacy, of the sincerity of which promise he had never doubted, till he was undeceived by the death of Hedges, whose secret he had up to that moment kept. Chapman, as well as Hedges, have been many years dead. In consequence of the discovery above alluded to, and the suspicion which had been awakened, an inquest was this day held on the bones by Mr. E. Cowcher; when Viner was examined, on oath, relative to the mysterious tales he had propagated. He appeared alarmed at the position in which the discovery had placed him, and was very cautious in what he said. In answer to several

questions put to him, he deposed to the fact of having been placed in a certain place to watch, while the Scotchman, Chapman, and Hedges, went on for about forty yards, indeed to the very spot where the skeleton was found; that they remained there an hour or more; that they had a spade, which he could hear them use, but he said that he never suspected that a murder had been committed until he was arrived at years of discretion, and that, although it was true, as he had said, that his master gave him some money when they got home on the night alluded to, yet that it was given as an act of spontaneous generosity on the part of his master. The jury, under all the circumstances of the case, were satisfied that the bones were those of a murdered man, but they were not satisfied how he came by his death, and they returned a verdict accordingly.

26. MURDER AND HIGHWAY ROBBERY.—An extraordinary sensation of horror and alarm has been produced at Epsom, Banstead, and Ewell, in consequence of a daring and deliberate murder, committed about half past 6 o'clock on Wednesday evening, upon the person of Mr. John Richardson, steward to John Perkins, Esq., of Bletchingly, Surrey. The deceased had come over in the morning from Bletchingly to attend Epsom corn-market, as had been his almost invariable practice since the establishment of this market about a year back. He put up as usual at the King's Head, and he is known in the course of the day to have received a sum of 23*l.* 3*s.* After the market was over he returned to the King's Head, where he dined at the ordinary; he went soon

after to meet a gentleman at the Spread Eagle, with whom however he took only a single glass of wine, and, returning thence to the King's Head, he ordered out his gig, and started for Bletchingly about 6 o'clock. The spot where the assassins were lying in wait for him is about midway between Epsom and Banstead, and distant about half a mile north east from the grand racing stand. The deceased had safely passed along the cross road which runs along the northern skirt of the Epsom Downs, and had entered a narrow lane, in which, before proceeding more than three hundred yards, there is a deep hollow, known as Purcell's Gap. The ascent from this is by a remarkably steep although short hill, and it was near the brow of this hill that the foul deed was perpetrated. A spot more secluded or better adapted in every respect for the perpetration of a deadly crime could hardly be imagined. There is no house in any direction nearer than a mile, and the country all around being remarkably open, consisting for the most part of downs and sheep-walks, the facilities for escape are very great. The deceased must necessarily have walked his horse up the hill leading from out the hollow towards Banstead, a circumstance which no doubt led to the selection by the assassins of that particular part of the lane. When Mr. Richardson was very near the brow of the hill, it is supposed that one of the two men (for that there were two is proved beyond doubt) seized the horse's head, while the other came up to the side of the gig and demanded the deceased's money. The deceased always travelled with loaded pistols, and it is believed he replied to the

demand by firing at one or other of the villains, but missed his aim, and that the ruffian by the side of the chaise instantly fired his pistol, which unhappily took a fatal effect. That the pistol was fired by the villain who stood on the near side of the chaise was evident from the direction the ball took; for it grazed the left arm, and passing sideways through the body, missed the heart, but perforated the lungs; it was found lodged against the blade bone of the right shoulder. Mr. West, carrier between London, Ewell and Banstead, was approaching the spot at the time, and distinctly heard the reports of the two pistols, and heard the deceased utter an exclamation. He also saw the two men, who at first were approaching towards him, but on seeing him ran off in a different direction. The deceased breathed his last just as he got up, and he placed him in his cart, and carried him in it to the sign of the Surrey Yeoman's Arms, at Banstead. It is an extraordinary circumstance, that the deceased himself saw in passing over Walton-heath, on the morning of the day, on his way to the market, the very two men who are strongly suspected to be the murderers. The taller of the two had a smock-frock on, and the wind blowing strongly at the time, pressed the frock so closely against the body of the man, that the deceased, who had a suspicion of their characters, saw, or fancied he saw, the clear outline of a horse-pistol. He mentioned the circumstance to the toll-taker at the Tadworth-gate and advised him to keep a sharp look out after the fellows, as he thought they were after no good. The deceased, it appears, from the evidence taken

before the magistrates, likewise mentioned the circumstance at Epsom, to Mr. Butcher, a builder and auctioneer, and also to his brother, and made use, in the hearing of both, of the remarkable expression—"If you hear of my being robbed or murdered, you will know who did it." At the entrance of the lane where the murder was committed, and distant from the spot only about three hundred yards, a solicitor of Reigate was, about three months back, stopped in his gig by four armed men, wearing smock frocks, and robbed of a considerable sum of money.

28. COURT OF ASSIZES AT PARIS.—TRIAL OF M. CABET.—This trial was preceded by formidable preparations against any attempt to disturb the peace. A strong military force was stationed in the Palais de Justice and the environs; troops of the line were bivouacked in the area opposite the Court of Accounts; whole companies occupied the Salle des Pas Perdus and the galleries of the Court of Cassation; and military patrols, and a multitude of police agents were constantly moving through all the passages and avenues. Having read the authorization to prosecute, granted by the Chamber of Deputies, and other papers of mere form, the Registrar proceeded to read the two articles inserted in the *Populaire* of January 12 and 19, upon which the prosecution was grounded. The first was entitled *La Republique dans la Chambre*. The other article was entitled *Crimes des Rois contre l'Humanité*, and, after censuring Louis Philippe for his conduct to the Poles, in obedience to Nicholas, represented his system as counter-revolutionary, anti-

national, and anti-popular, and decried him as the enemy of the patriots of all countries. Both these articles were signed "Cabet." The Registrar then called Messrs. Lafayette, Arago, Dupont de l'Eure, Laffitte, Odillon Barrot, and Bernard, the witnesses summoned on the part of M. Cabet. The procureur-general, however, objected to their being examined, as the prosecution was for offences against the laws of the press. M. Cabet maintained his right to have them heard, on the ground that one of the passages complained of was, "the evil is in Louis Philippe," and he wished to prove that it was he alone who governed, and who in particular had selected for office Prince Talleyrand and other personages of the same description; he concluded by renouncing his claim to interrogate witnesses. M. Persil then addressed the jury at considerable length. M. Marie, counsel for M. Cabet, addressed the Court and jury on behalf of his client. M. Garnier Pages having obtained leave of the Court, delivered an energetic speech in defence of M. Cabet. M. Persil, in reply, expressed his regret that the law against the associations had not been presented eighteen months ago. Either the associations must be dissolved, or the monarchy of Louis Philippe must fall. "We (added he) fought against Charles X., and we will fight against the republic, if it must be so." M. Marie spoke briefly in reply, after which, M. Cabet addressed the Court and the jury. He made a profession of his political faith, declaring that his wish was not for a revolution, but that the people might obtain their rights by the force of public opinion. The jury retired, and after

three-quarters of an hour's deliberation, returned and delivered a verdict of *guilty* upon the second count.

The Court in consequence condemned M. Cabet to two years imprisonment, interdiction of civic rights for two years more, and a fine of 4,000f.

MARCH.

EXTRAORDINARY MURDER IN GERMANY.—A trial took place recently in Hesse Cassel, which excited a very strong sensation throughout the whole continent. Two young travellers, in the course of a tour into one of the provinces in Hesse, visited a Benedictine monastery situated on a high mountain, which, from the beauty of the scenery, had been much frequented by tourists. In returning down from the convent, the strangers saw under a beech-tree, a dead man, with a cord doubled round his neck, and they instantly ran and gave information to the monks. The prior despatched a messenger to the proper officers, who hastened to the spot. Upon examining the body, they found it was that of a distinguished nobleman, Count Uregg, who lived in the neighbourhood, and whose castle could be seen from the monastery. The question was, how he met with his death; and as the circumstances justified the suspicion that he had lost his life by violent means, the officers instituted an immediate inquiry. They devoted a considerable time to the investigation, and at last succeeded in obtaining a full discovery of the way in which the murder was committed, of the motives which

led to it, and of the perpetrators. Count Uregg lived in his castle in splendor and happiness. About the period when he attained his 15th year, there came into the neighbourhood to live, a military gentleman and his family. The name of the stranger was Conrad Eссор, and, having the habits of a gentleman, he became acquainted with the Count, and was hospitably received by him. An intimacy sprang up between the Count and Eссор's family, and the result was, that the former offered his hand to Mlle. Eссор, then a beautiful girl. The Count was so determined on the marriage, that he was ready to secure the young lady for his wife on any terms, and agreed not only to provide an ample fund for his wife in case of his death, but to support the parents in his castle, or to give them an ample allowance for supporting them suitably. For some time they lived happily together; but about two years after the marriage, the villagers began to remark, that a rich landlord, who resided a short distance from the castle, and whose name was Antoine Osterfeld, came every Sunday to see M. Eссор. The real truth was, that Osterfeld paid clandestine attentions to the Countess, and he was encouraged by the parents, and particularly M. de Eссор, in his immoral project. Such was the nature of the evidence obtained by the officers in their early inquiries; and having ascertained this, they thought it essential at once to proceed to the castle, and make inquiries. They examined the Countess. The Count had left his castle some months before for a short time, had charged his wife with criminality, and imputed both to her father and mother a privity in her guilt. He,

moreover, obtained a legal prohibition for preventing Osterfeld from visiting his residence. The mother of the Countess was examined, as were also her father and the servants; and the nature of the evidence was such as to authorize the officers to place them in custody, on the accusation of being accessories to the murder. Whilst in prison, a young woman who happened to be a prisoner also, in an apartment adjoining to that where the Countess and Osterfeld were placed, overheard their conversation, and communicated the substance of it to the officers. A variety of witnesses spoke to the utterance of various expressions on the part of the Countess, her mother, and Essor, which confirmed the suspicion that they had had a hand in the murder. The Countess was therefore submitted to a fresh examination, when the President of the Court conducted the interrogatories; and she at last confessed, that Osterfeld had told her he murdered her husband with the assistance of her father and mother; but in the most solemn manner she declared that she was convinced that neither of her parents had anything to do with the crime. Osterfeld was brought in and confronted with the Countess. He first attempted to make a denial, but he at length confessed that he and Essor, with Essor's wife, were all parties. Osterfeld proposed a mild way of getting rid of the Count, but Essor would not listen to this, and said he had injuries of his own to avenge. He then stated, that he was the person who dragged the Count from his horse, assisted by M. de Essor, and when the Count was down, he held his mouth while Essor perpetrated the

murder! The death of the unfortunate victim was effected in a manner which showed great anatomical skill. Essor put the cord about the victim's neck. The whole were found guilty. Essor died in prison before the final trial. The other prisoners were sentenced as follows:—Osterfeld, to imprisonment for life, in the mean time with liberty to prove he was not the principal; Julia Essor, the mother-in-law of the victim, to four years' of hard labour, and to give security that she will be forthcoming whenever required; Amelia Uregg, to three years' hard labour, and a similar penalty. The three prisoners were further obliged to pay the whole expenses of the prosecution.

4. LOSS OF THE STEAM BOAT, WILLIAM PENN, BY FIRE.—Yesterday afternoon, the steamboat, William Penn, belonging to the Citizens' Line, plying between Philadelphia and Baltimore, on her way from New Castle, when nearly opposite the Point-house, was discovered to be on fire. Every exertion was made to stop the progress of the flames, which spread with great rapidity from the fire-room, and soon communicated to the fuel. When the captain found it was impossible to quench the fire, he ran the vessel aground in the mud, and the passengers were under the necessity of jumping overboard; before any assistance could be rendered to them, several were drowned. The mails, trunks, and merchandise were thrown overboard about thirty minutes after the fire took place. There were 120 passengers on board. The vessel was burnt to the water's edge.

A FEMALE IMPOSTOR.—There was tried before the Correctional

Tribune of Fontainebleau, for robbery and vagrancy, a female adventurer, who has been several times prosecuted and convicted within the last ten years under the different names of Countess Antonio, Elizabeth d'Herbes de Bellefond, Countess Ermine d'Olsermens, or Adolermens, princess Abdulakam, Widow Nages Adulazene, and who now described herself as Matilde Bellenet, widow of Baron de Wolfen, late Colonel of the 1st regiment of Lancers of the ex-Imperial Guard. At 11 o'clock, a lady arrived between two gendarmes, and with a firm and haughty stride cleared the two steps which lead to the bench assigned for the accused. She wore a *douillette* with a blue shawl over her shoulders, and a thick veil enveloped her head, and fell over her face, which it completely concealed. Upon the desk of the registrar were a silk hat of the colour of *feuille morte*, to which was attached a green veil, and seven silver covers. The registrar read the warrant for sending her before the Court. It appeared from it, that the pretended widow of baron Wolfen (a letter from the Minister of War certified, that there had not been any officer of that name in the two regiments of Lancers of the Imperial Guard) was charged—

1. With having on the 10th of June, 1833, fraudulently abstracted six silver covers, the property of the Sieur Ledoux, eating-house-keeper at Versailles.
2. On the 20th of September following, for a like offence, in the house of Sieur Lebure, at Compiègne;
3. With stealing, on the 11th of October following, eight covers from the house of Sieur Morlet Ballot, proprietor of the Blue Dial at Fontainebleau;
- And 4. With being in

a state of vagrancy. The President proceeded to interrogate the accused, who declined to tell the name and quality which she last assumed, or her domicile, her profession, or means of existence. The President.—It is necessary for the Court and the witnesses that they should see the features of your countenance to prove your identity. I beg you will raise your veil, which hides them from every eye. The prisoner.—There is no occasion for me to show my face. I shall not act the part of a basket here, which you may cover or uncover at will. The President.—That you should be confronted with the witnesses is as much for your own interest as that of justice. I formally repeat my request. The prisoner.—I am not a basket, I tell you; I will not lift my veil in the presence of such a *canaille* (turning to the audience), and I shall submit to all the consequences of the refusal. The President.—Abstain from such insulting expressions to the public, or I shall send you back to the lock-house, and adjourn your trial. I command you to take off your veil. The prisoner, pleading her rank and quality, refused to raise her veil. The king's attorney insisted that the order of the President should be carried into immediate execution; and a gendarme came forward and proceeded to draw aside the veil. A struggle took place between them: the prisoner spat in the face of the gendarme, and hit him with her fists, but at last the veil was torn entirely off. Then appeared, with her head dressed with a bonnet, a woman of about fifty years of age, with very strongly marked features, and squint-eyed, who exclaimed — “Ah! scoundrel, you shall pay for it; it is an arbitrary

act; it is an attack upon the law of nations—my person is sacred.” After a long interrogatory, in which the prisoner defended herself with great presence of mind, the Court proceeded to hear the witnesses, and their depositions overwhelmed the *soi-disant* baroness. She was condemned to imprisonment for five years, and a state of surveillance for ten years.

8. PRESERVATION OF THE LIVES OF TWO CHILDREN BY A NEWFOUNDLAND DOG. — Two little boys, one six years of age, the other about nine, sons of Mr. Horncroft, were playing on the banks of the Grosvenor Canal, at Pimlico, and climbing up one of the cranes used for unloading the barges, when the youngest accidentally fell off the crane into the water, a height of about ten feet. The eldest immediately jumped into the canal after him, when, after a short struggle, they both went down. At this moment, Mr. Ryan, comedian of Astley’s, chanced to pass with his Newfoundland dog Nero, well known for his performances in various pieces at the different theatres. A gentleman who saw the children sink, instantly threw a pebble to the spot, and Nero plunged in, dived at the place, and almost instantly brought up the eldest boy; but as he was swimming with him to the shore, the clothes, that the dog had hold of, tore, and the boy sank again, but was quickly recovered by the dog, and brought safe on shore. The youngest had appeared twice during the time, and no sooner had Nero placed the boy in safety, when he plunged in a second time, and after diving for a few seconds, he appeared with the youngest boy, and brought him on shore in a state of com-

plete exhaustion. By this time upwards of 200 people had assembled, and the children were conveyed to the nearest public-house, where they soon recovered. Every person appeared anxious to see the dog, and the caresses he received from the crowd was overwhelming. Mr. Horncroft, the father of the children, gave a dinner, at which Nero appeared as the principal guest, and evinced the greatest docility in his playful gambols with the children that he had saved from a watery grave.

DISPUTES BETWEEN THE BRITISH AND FRENCH FISHERMEN. — On Monday morning, the 10th instant, the Frolic of Portsmouth, George Burnet, master, sailed from Jersey for the oyster-ground on the opposite coast of France, with a crew of five men and a boy. She reached the oyster-ground only at dusk, owing to light winds; the crew tried for oysters, but found none; and night closing in, and a fog coming on, they made for a light, which they concluded to proceed from the fishing fleet. Soon after they made out their companions, and anchored close to them for the night. At daylight next morning, the fog was very thick; but having waited in vain for its dispersion, they got under way at about half-past 8, and commenced dredging, but without success. Finding that there was no chance of the weather clearing, and not knowing exactly where they were, they anchored again. Towards the middle of the day the fog abated; they made out the land, and discovered that they were within the limits of eight miles from the French coast, to which the British fishermen are restricted. They made all sail to get outside the limits, in company with

the *Flora* of Milton, and the *Young Dolphin*, of Jersey: they were still within the limits, when they perceived a French boat rowing towards them, which afterwards proved to be the boat of the *Ecureuil*, with a crew of eleven or twelve men, armed with muskets, pistols, and cutlasses. Burnet hailed the *Flora* and the *Young Dolphin*, desiring the crews to bring those vessels alongside of his, in order to prevent the French from capturing them, and detaining them in Granville for the rest of the season (till the 1st of June), which he knew would be their fate if they allowed the French to board them. They did not accede to his request. The *Young Dolphin*, being further from the boat, stood to the northward and escaped. The *Flora* being nearest was first boarded, the crew offering no resistance; nevertheless, the moment the French were on its deck, one of them knocked down with a cutlass the man at the helm. Leaving three men in possession of the *Flora*, the French boat made for the *Frolic*. On reaching her quarter, Burnet desired them to keep off, as he would not let them come on board; they took no notice of what he said, but attempted to grapple. The crew of the *Frolic* pushed the boat off with their sweeps and a boat-hook. The attempt to board was renewed four times, and as often repulsed in the same manner. The French then laid on their oars, took up their muskets, and appeared to be aiming at the *Frolic*'s crew. Burnet had an old musket or fowling-piece, loaded with small shot, which he kept on board for shooting wild fowl; he took it up, and presenting it at the French, cried out to them, that if they fired, he would

do so likewise; upon which the French put down their pieces. One of Burnet's men remonstrated with him upon the danger of an affray with fire-arms, saying it might make a bad job of it—that they could keep them off with their sweeps, and if they got on board, they had only to take hold each of their man. Burnet, thus persuaded, sent his gun below. The French, seeing this, made a fifth attempt to board, but were again repulsed; and in shoving out a sweep for that purpose, one of the French crew received a blow on his head. Immediately a shot was fired into the *Frolic*, which, however, only took effect in her foresail, passing over the heads of her crew; these last gave a cheer; this probably exasperated the French still more than their repeated defeats, for immediately one of them snatched a musket from the hands of his neighbour, aimed, and fired: the ball entered Burnet's right breast, fractured a rib, and traversed the lungs. Burnet fell forwards, and said, "I am shot, I am a dead man." One of his crew assisted him aft to the companion, when he had the resolution to call to his boy (his son) for his gun, which he received, and fired into the French boat, wounding one man severely in the face and head. His fire was returned by three shots, which did no other damage than perforating the sails of the *Frolic*. The French boat then made off for the *Ecureuil*, and Burnet survived his wound only an hour and a half. The same day, the French cutter *Ecureuil*, had boarded the *Ant*, of Jersey, during the fog, and taken possession of her. The crew of this vessel had been severely ill-treated, beaten with cutlasses,

thrown violently from one vessel to the other, and into the hold of the cutter, and detained for several hours; but on the weather clearing, the French commander found the vessel was anchored two miles outside the limits, and in consequence released her and the crew. The *Flora* was taken to Granville, where she will probably remain as long as fishing continues this season.—Burnet is the second fisherman who has lost his life in consequence of the differences to which the question of the limits of the oyster fishery has given rise. The British fishermen engaged in the oyster fishery of Jersey complain with reason, that, whilst, on every part of the English coast the French fish without restriction or hindrance,—whilst on every other part of the French coast, except that opposite to Jersey, the English are allowed to follow their occupation at the distance of one league,—they are interdicted from approaching nearer than within eight or nine miles of that portion of the French coast where oysters are abundant; that this interdiction has for its only object to prevent them from getting oysters, and to throw the supply of the London market into the hands of the inhabitants of Granville, in France, which has been already partially effected. Until 1824, the limits of that fishery had been taken at one league from low-water mark, and then the fishery was extremely flourishing. Since 1824, the limits have been carried out to the distance above-mentioned, within which all the good oyster-beds, where the water is sufficiently shallow to admit of dredging with any advantage, are included. If any British fishermen are taken in or near the limits, whatever

may have been the circumstances which led them there, they are captured by the French cruisers, and detained at Granville for months; in the meanwhile, their families are starving, and their vessels perishing. Besides, they are left altogether at the mercy of their captors, who are at once accusers, witnesses, judges, and executioners; and it may easily be fancied, that as the officers and men of the French cruisers, with the exception of the commanders, are seamen of the port of Granville, deeply interested in the oyster trade, the decisions they come to are not always in direct accordance with justice.

An inquest on Burnet's body was held at Jersey, on Thursday, the 13th instant, and a highly respectable jury brought in a verdict of "Wilful Murder" against the Frenchman who shot Burnet.

11. LEGITIMACY. — WORCESTER.—*Anderton and Wife v. Gibbs and another*.—This was an issue out of Chancery, to determine the legitimacy of the plaintiff, C. Anderton. It appeared that in 1794 Mr. John Moore, of Dudley, married a Miss Holbeche. After living together for two years, she was discovered in 1796 to have formed an intimacy with a Mr. Corfield, and her husband separated from her. He commenced an action against Corfield; and judgment having been suffered by default, a writ of inquiry was executed at Worcester on the 13th of July, 1796. Mrs. Moore and Mr. Corfield, who had been in that city during the trial, went to London, and on the 3rd of May, 1797, the plaintiff, Mrs. Anderton, was born in the Strand. Mrs. Moore afterwards had a son, about whose illegi-

timacy there was no dispute. Mr. Corfield having gone to prison for debt, Mrs. Moore left him, and her husband having died in 1798, she married again. The two children continued to live with her for many years, and bore the name of her second husband. On her death it appeared that Mrs. Anderton took the name of Corfield, and lived with her mother's brother, but she was married in the name of Moore. To prove that she was the daughter of the husband, Moore, evidence was given, that, on one occasion, while the parties were all at Worcester, the husband being at the Crown was visited by Mrs. Moore, and they were in a parlour alone for some time. She and Mr. Corfield were, however, living at the Unicorn, another inn in the town. It was also stated by a witness that he saw Mrs. Moore at Dudley, near her husband's house, a short time after the trial. On the other hand, a letter was put in, written by Mrs. Moore to her husband in the October following, wherein she used the most violent invective, and after stating her pregnancy, used language which completely negatived all belief on her part of her husband being the father of that child, she having stated that no person could possibly believe it. It was also sworn by Mr. Bubb, the sculptor, that Mr. Corfield and Mrs. Moore lived at his house in London in 1796, and were never absent, except the five days during which time the writ of inquiry was being executed at Worcester.—The counsel for the plaintiff did not contend that the intercourse had taken place at Worcester, but suggested to the jury that probably some arrangement was then made between Mr. and Mrs. Moore, which led to a

subsequent meeting at Dudley, the reality of which meeting he strongly pressed upon them.—The jury found a verdict for the plaintiff, thus establishing the legitimacy of Mrs. Anderton.

HORRIBLE STRUGGLE BETWEEN TWO CRIMINALS CONDEMNED TO DEATH.—PORT-AU-PRINCE, HAYTI.—Some months since a mulatto, named Eriag, was condemned to death for the assassination of a merchant of Hayti. A few days after, a young Portuguese, named Dardeza, was sentenced to the same fate, for having stabbed his mistress in a fit of jealousy. The two criminals were confined in the same prison, but each had a separate cell. Eriag, whose strength and ferocity were the subject of much dread, occupied an obscure dungeon, in which the air penetrated through a small grating which overlooked the staircase of the prison; no ray of light reached this cell—here the darkness of night prevailed over the light of day. Dardeza was placed in a larger room with some light, and which had a grated window overlooking the country. The two condemned men were manacled with chains on their feet and hands. It was announced to each that their execution would take place in three days, and a sufficient provision of bread and water was given them, which was to last until the fatal moment arrived. For some time each of the two prisoners had meditated their escape. Dardeza, who had been permitted to receive the visits of his friends, had obtained some instruments to facilitate his project, but possessing neither vigour nor address, was soon discouraged by his fruitless essays, and had fallen into entire apathy and despondency. He waited with

most painful dread the appearance of the gaoler. Eriag, more vigorous, more daring, did not despair; he resolved to try all means to escape his sentence. From the position of his cell, and the way he had passed to be conducted to it, he reckoned that one of the walls was the boundary of the prison; and he imagined, if he could effect an opening, he might get into the open country. He commenced his work, and, to prevent the noise being heard, and to soften the stones, he threw water on the cement, and with the chains which were on his hands scratched against the wall. When he had removed some fragments he again threw water, and recommenced scratching; he deprived himself of sleep, and with an indefatigable activity never for an instant quitted his work. From time to time the gaoler would come to the grating, and, with a lantern, would see that his prisoner was safe. But all the while he was working Eriag kept an attentive ear, and at the least noise he stopped; and when the gaoler came he would find Eriag lying near the hole, pretending to sleep. Already was the wall very deeply pierced; but how thick was the wall? Eriag was ignorant what he had still to do; he did not even know what time remained to the hour of his execution. He was placed in a cell so dark that he could not tell the difference between night and day, and was thus deprived of all means of knowing how fast the three fatal days were passing. However, he made a last trial, and with clinched teeth he attacked the wall. The stone gave way; the wall was pierced! but, alas! the wretch was deceived in his idea of the situation of the place. He looks through the open-

ing he has so painfully effected. He perceives only another cell feebly lighted by the pale glimmering of a lamp: it is the cell of Dardeza. In a short time these two approach each other. Eriag communicates his design to Dardeza, and learning that his window overlooked the country, he imagined their flight was a thing effected; but how many hours were there still allotted to him to live? He asked Dardeza, who had been able to count both hours and days, and found that the night which had commenced was their last, and that the morrow's sun was to light them to the gallows. Far from dispiriting Eriag, this news only redoubled his courage. Dardeza seconded his efforts, and the two uniting their energies to widen the hole made by Eriag, it was soon large enough to admit him into the cell of Dardeza. The latter had received from a friend a file to break away the bars from his window to assist his escape, but had not tried to accomplish a plan which at first appeared so impossible. Now, however, the presence of Eriag animated him, he seized the file, the two set to work, and they had soon separated several bars of the grating. The opening was large enough to admit them, and if they could effect a leap of sixty feet their escape was assured. It remained only to file the chains which attached their feet and hands. But this would still be a work of time, and the day was about to dawn. The file could not serve both at the same time. If one only used it, scarcely would there have been time to break his chains, and with the weight of them flight was impossible. A terrible dispute arose between the two; the file was in the hands

of Dardeza; he would use it; Eriag threw himself on him to wrest it away. In this narrow cell, between two chained men, devoted to death, a mortal combat ensued. Eriag being the strongest threw his enemy. Dardeza saw himself vanquished, but that neither might be saved he dragged himself to the window, and would have thrown out the instrument. Eriag prevented him. "You shall never have it!" cried the frantic Dardeza; and, making a violent effort to disengage himself from the hands of his adversary, he put the file in his mouth and swallowed it. At this sight Eriag sunk exhausted! Dardeza, overpowered by the efforts he had made, lay extended on the ground like one really dead; the file he had swallowed was entangled in his throat—he was suffocating; suddenly Eriag threw himself on Dardeza, seized him violently by the throat to strangle him, dashed his head against the walls, plunged his hand in his throat, tore open his chest, and drew forth the file. Soon he is at work, and his chains fall; then, with the linen of Dardeza he made a kind of line, which he attached to a bar of the window. He let himself out; but, arrived at the extremity of the line, he cast his eye below him—an abyss of more than thirty feet was still left. However, he did not hesitate; his fall was broken by a platform on which he rolled; then he fell on a pavement; still he found himself surrounded by a high wall, which it was necessary to climb. At the moment he was searching for the place where ascent was easiest, a watch-dog attacked him. Eriag met him, and, fearful lest his barkings should be heard, he thrust his hand in his mouth and strangled

him; but in the midst of his convulsive pangs the dog bit off his thumb. Eriag chose his spot, and soon the mangled murderer was at liberty. At break of day the gaoler sought the criminals to lead them to the gallows—he found only one mutilated corpse. The alarm was given; proclamations issued for the apprehension of the criminal; but the traces of blood near the dog, and the thumb were still there; it was ascertained the right hand of the murderer was mutilated, and these details were published. Eriag had run for a space of an hour, when, overcome by fatigue and hunger, he stopped near a small hut and demanded refreshment, thinking that the rumour of his escape could not have preceded him there. An old negress who inhabited the hut gave him food. He was on the point of quitting her, when Caro, the brown son of the old woman, arrived from the town, and immediately told the news he had heard there. Eriag thrust his hand still deeper in his bosom, but the rapid glance of Caro caught the movement. The brave young man rushed towards Eriag, tore off his cloak, and perceived the bloody wound. Eriag sprang rapidly to seize a hatchet, which was in a corner, and threw himself on Caro, who had only a heavy stick. Caro adroitly parried the blow aimed at him. The axe of Eriag glided down his adversary's club, and cleft the skull of the old negress, who had run to protect her son. At this sight Caro threw himself upon Eriag, and at a blow felled him to the ground, leaving him without sense, and *hors de combat*. He then vainly endeavoured to recall his mother to life. At the same moment three mounted police-officers, who had been searching for

the culprit in all directions, arrived. Immediately Eriag was seized, bound, tied to the tail of a horse, and dragged at full gallop back to prison. Hardly arrived, Eriag asked for a bottle of rum and a priest. To the latter he recounted, with horrible *sang froid*, all the details of his escape, and then swallowed the former at a draught. Scarcely had the priest left him when he fell senseless, and on the officers entering to drag him to the gibbet he had ceased to breathe.

17. CAMBRIDGE.—THE KING v. SEWARD AND OTHERS. — The indictment charged the defendants John Seward, Robert Hemington, and Joseph Skeels, with having unlawfully conspired to procure one Sarah Brittain, a pauper of the parish of Chatteris to intermarry with one Richard Spriggs a pauper of the parish of St. Ives, for the purpose of causing her to be settled in the latter parish, and to relieve the parish of Chatteris from the burden of maintaining her.

The defendant Seward is a gentleman of fortune, living at Chatteris, in the Isle of Ely; and in the year 1832, Hemington was the assistant overseer, and Skeels one of the constables of that parish. In November in that year Sarah Brittain, a young unmarried woman, was pregnant, and Richard Spriggs was the putative father. On the 23rd of that month Spriggs was apprehended as such putative father, and in the course of the day he saw the defendants, Seward and Hemington, who asked him if he would marry the girl; to which he replied, that "he would not, unless they gave him three sovereigns," and one of them afterwards said he would be sent to gaol if he did not marry her. He was taken to Ely gaol the same day,

and when he had been there a week, Seward and Skeels went to him. Seward asked him, "if he was willing to come out of gaol, and marry the woman?" He replied, that he was not, unless they gave him three sovereigns: he was asked if he wished to have the three sovereigns "to marry himself," but he said, "No, he would have them clear." They offered him two sovereigns, but he would not consent to marry for that, and they left him and went into the gaoler's house, where Spriggs stated, that he heard the latter say to them, "Try the fool again, he'll very likely take the two sovereigns." The two defendants then returned to Spriggs, and again offered him two sovereigns, which he still refused, and ultimately Seward consented to give him the sum he required, and said to him, "Come out, come out." He was then liberated, and after taking him to a public-house, Seward, Skeels, and he got into a cart, and drove to Chatteris. Spriggs and Skeels (the constable) slept in the same bed at the Grenadier there; but before they went to bed the former asked Skeels "what it was that he heard jingling in his pocket when they were in the gig," and he said "they were handcuffs, if he had behaved awkward." The next morning Spriggs, Hemington, and the pregnant woman, were driven by Wright, the Chatteris parish-clerk, and one of the constables, to Doddington, where they procured a licence for the marriage of the parties, for which Hemington paid two guineas and a half, and with this they immediately returned to Chatteris. On their way back they saw Seward, who had some conversation with Hemington; but the only part which

the clerk heard was Seward's saying, "Mind what you do, and give the money to the woman. Arrived at Chatteris, Spriggs was delivered into the hands of Skeels, the constable, and Wright went to fetch the clergyman. Spriggs, the girl, her mother, and Skeels, then proceeded to church, leaving Hemington standing outside near the porch. The marriage ceremony was about to commence when Spriggs told Wright, that "he would not go any further without the money," and Skeels then, with Spriggs's consent, paid the three sovereigns into the hands of the bride elect, and she and Spriggs were married.

The defendant Skeels acted as the "father" and gave the bride away. In the evening Hemington and another of the defendants saw Spriggs, and told him they wanted his examination taken, in order to his being removed to his parish, and gave him 1s. for "relief," though he had never asked for any relief, and had at the time the whole of the three sovereigns he had received from Skeels. He went before the justices a day or two afterwards, and his examination as to his settlement having been taken, he and his wife were removed by an order of justices to St. Ives, in the workhouse of which place she was shortly afterwards confined. The man and his wife have been almost continually on the parish of St. Ives, since their removal thither.

In his cross-examination, Spriggs stated, that he had courted the girl for four or five years, but that he had never talked of marriage to her, and did not intend to marry her. He denied that he had ever said he wished to marry her, and would do so if the parish officers

would give him some money, as he was too poor to do it without assistance. He also denied that he had said his going to gaol was all a plotted thing between him and the girl, to induce the officers to give him money to marry her; or that he would swear for whichever parish paid him best; or that before she was pregnant he had said he wished she would swear herself with child, that the overseers might make him marry her.

Several witnesses (all living at Chatteris, and most of them paupers of that parish) were called, who swore to having heard Spriggs make use of the expressions given above, but which he had denied in his cross-examination. Wright, the constable, also stated that he had heard him say that he would swear for that parish which paid him best.

The Lord Chief Justice summed up the evidence. It was an indictable offence to conspire to bring about the marriage of paupers for the purpose of burthening a parish with the maintenance of both, if it were accomplished by threats, force, or contrivance. The jury would consider how far that had been done in the present instance; and if they were of opinion that the marriage of these parties had been procured by force, or by corrupt contrivances on the part of the defendants, or any two of them by conspiring with each other, they would find them guilty; if, on the other hand, they thought that the man and woman were willing parties, that they were desirous of marrying each other, and that the marriage was their own free and voluntary choice and act, then, although the consequence might have been to throw a burden on the parish to which the man be-

longed, they must acquit the defendants.

The Jury found all the defendants *Guilty*.

19. DORCHESTER.—ADMINISTERING UNLAWFUL OATHS. — James Loveless, George Loveless, Thomas Stanfield, John Stanfield, James Hammet, and James Brine, were convicted on the 17th of administering unlawful oaths. The parties were labourers. The offence of swearing agricultural labourers, and binding them to an observance of the illegal oath, by ceremonies partaking of mingled folly, superstition, and ferocity, was brought home to the accused; and the conviction was this day followed by a sentence of transportation for seven years against the whole of them, six in number.

21. M. ROSSINI AND THE FRENCH GOVERNMENT. — The Tribunal de Première Instance, at Paris, was occupied with the suit of M. Rossini against the Paymaster of the Civil List, under the following circumstances:—During the reign of Charles X. Rossini was sent for from Italy by that monarch, and very advantageous arrangements were made with him, with the understanding that he should devote his musical talents exclusively to France. Rossini, however, some time afterwards wishing to return to Italy, entered into a fresh arrangement with the Minister of the King's Household. By this arrangement the title of First Composer to the King and Inspector-General of Singing was bestowed upon M. Rossini, as well as an annual pension of 6,000 francs for his past services. M. Rossini also bound himself by another engagement to compose exclusively for the Académie Royale de Musique, and to produce for that

theatre five grand operas in the space of ten years, under certain pecuniary conditions; but subsequently fearing that the 6,000 francs might be considered as the compensation for the operas which he had engaged to furnish to the Académie, he made an application to the Minister of the King's Household with a view to settle all doubts upon the subject. The consequence was that Rossini obtained a document, signed by Charles X. himself, in which it was expressly stated, that the pension of 6,000 francs was for his former services. Matters were in this state when the Revolution of 1830 took place, and M. Rossini suffered the same fate as the other claimants upon the civil list of Charles X. — the payment of his pension was stopped. M. Rossini having applied to the Paymaster of the ancient Civil List for what he considered to be his right, and claimed his arrears, the latter would not take upon himself the responsibility of paying a pension granted by another government, but said the question must be referred to the competent tribunals. The case, therefore, came before the First Chamber of the Tribunal de Première Instance. M. Dupin appeared for M. Rossini, and established the fact of the pension having been granted. M. Gairal, who was counsel for the Paymaster of the Civil List, endeavoured to show that the pension ought to be paid by the Académie Royale, as M. Rossini was under engagement to write for that establishment; but the Court decided that M. Rossini was not only entitled to the arrears of his pension, but ordered it to be regularly paid in future.

21. SHARESBURY. — *Ellam v.*

Harding.—Crim. Con. — Elizabeth Macartney, plaintiff's sister, proved that he was married in St. Peter's Church, at Liverpool. He was twenty-five; his wife was twenty-seven.

Joseph Ellam, plaintiff's brother. — Plaintiff is a joiner and cabinet-maker. On his marriage he came to me to work; the wife lived with her father, which was their home. They appeared fond of each other. She left him on the 29th of June last year. They had been living at a house at Hanley, in the Potteries, for two or three years. He was much distressed, and after the event in question, he sold his goods and went back to Hanley. Defendant lives at Willowbridge, near Knighton; the wife's father lives at a farm near. She went home to her father's. Defendant is betwixt sixty and seventy; he is married. He put his wife away about three years ago. She lives two miles off with her daughters. Defendant has three grown-up children; two are married, and one a widow. One of his sons is a clergyman. Defendant is an agent to several persons, to Squire Meynell, Dr. Lushington, and others. He has servants, two men and a woman. He has a chapel.

Mary Avirell.—In July last I was living as housekeeper with defendant. Defendant used to preach in the chapel. On Sunday, the 14th of July, Mrs. Ellam came to Willowbridge, and went to chapel. He preached there, and she dined with him. She went to chapel in the afternoon, and in the evening defendant preached. When service was over, he called back twelve of the congregation, and among them her father and brother. They were in the habit of attending his chapel. He made a prayer in an organ-room adjoin-

ing the pulpit. He prayed extempore, and asked if any one there objected to his taking this handmaiden in the Lord; if so, he might depart. He administered the ordinance of the sacrament with bread and wine. Mrs. Ellam and her father and brother partook of it, and himself and I. He produced a ring, and put it on her finger, but not a prayer-book. He sang a verse of the hymn, "Praise God from whom all blessings flow." He said prayers again. He and Mrs. Ellam went to his house at half-past nine. I warmed his bed. She went into the room with him, and slept there. She continued to live with him. She had lived with him before her marriage as a servant.

Verdict for the plaintiff—Damages 200*l*.

22. OLYMPIC THEATRE.—The representations at this theatre having closed, Madame Vestris delivered the following farewell address to an overflowing audience:—

"Ladies and gentlemen;—For the first time this season, because for the last, I appear before you with reluctance. To report its result is to repeat the sentence just now on everybody's lips, 'We have had an extraordinary season.' Our dramatic plants, nourished by the sunshine of your smiles, and defended against all rude attacks by your uplifted and applauding hands, have budded, blossomed, and ripened. For the fruits I come sincerely and gratefully to thank you. Yet is it only the surplus fruits which I, as farmer of this estate, enjoy. The bulk of them has gone to support and reward those whose talents have often amused and (may I add?) sometimes instructed you. The acknowledgments, therefore, of my fellow-labourers it is also

my pleasing duty to offer you. If I do not speak for our authors, it is because I consider it more their business to make speeches for me; but that they owe you a double debt of gratitude cannot be denied, for each of them must own, that in adding to his comfort you have contributed to his peace. Though I now speak in prose, I hope to avoid being prosy. It is more my habit to address you in numbers, and in numbers I am proud to say, it is your habit to listen to me. Upon those numbers I must now close my doors. I believe you wish them kept open; and if my will were the law, be assured that my will should be in your favour. Yes, ladies and gentlemen, there should be found a grateful clause in it, whereby, in humble imitation of great Julius Cæsar, I would give you all my seats, my Paphian arbours, and new-painted orchards on this side Wych-street, to you and your heirs, the whole year round, to come abroad and recreate yourselves. There is a Cæs—a manager for you. I am already busy for you for next season. To mention names were to destroy the charm of mystery; but this I will disclose to you in strict confidence, that I have succeeded, at an enormous expense, in engaging—Madame Vestris. With renewed thanks, I have the honour, until next October, most respectfully to drop my curtain and my courtesy."

24. ATTEMPT TO BREAK OUT OF NEWGATE—Mr. Cope, the governor of Newgate, discovered that twelve transports, who had been for the last eight months confined in the gaol, had made very effectual preparations to break out of the north side of the prison. Upon going round the prison, the governor ascertained that the water-

closets in the immediate neighbourhood of the transports' room were choked up; and suspecting that the obstructions were caused by a mass of rubbish which might have been removed from the walls, proceeded to the apartment of the twelve persons who have been for so long a period remaining under sentence. He observed no confusion amongst them, but upon putting his hand under the matting which hung against the wall of the prison close to the Old Bailey, he found that the brickwork was loose; and upon pulling out one brick a number of others tumbled out, followed by an immense quantity of old mortar. Oh," said the convicts, "it's nothing but a little damp. It was that that gave us all such violent colds." Mr. Cope, upon further examination, found that a little more labour would have supplied his prisoners with the means of escape; for they had managed to destroy all the brickwork between the apartment and the large stones which compose the exterior of the building, and had cut round one of the stones so completely that they could see everything that was passing in the street, immediately beneath the apartment, which is about fifteen or sixteen feet from the level of the pavement. With the matting they had commenced the construction of a rope, with which, as they subsequently acknowledged, they intended to pull the stone into the prison; to accomplish which they had chipped away a considerable part of the interior edges. All this must have been effected in less than two hours and a half, but the rapidity of the job will not cause any astonishment when it is considered that there were amongst the convicts three or four

bricklayers' labourers, two masons, a carpenter, and the rest, no doubt, soon improved under such scientific tuition. It is calculated that only two hours' industry would, with such hands, have enabled them to let themselves down into the street. Each of the large stones in the front of the prison weighs upwards of seven cwt.; and if they could not have pulled it in, or contrived to chip away a sufficient quantity to enable them to get their bodies through, it was their intention to push it out, notwithstanding the alarm which the fall of so enormous a bulk must have given.

26. NORWICH.—Joseph Newman Reeve was indicted for feloniously stealing a bag, nine 5*l.* notes, four exchequer-bills of 100*l.* each, and 100 sovereigns, the property of Mr. Pyne; and a box, the property of some person unknown.

On the night of Saturday, the 31st of last August, there was a most violent storm along the whole of the coast of Norfolk; and the Earl of Wemyss, Leith smack, was very early on the following morning observed near the shore at Brancaster, with her masts gone, and in a most distressed condition. When she was first seen, the tide was setting in, and the sea ran so high as to prevent the possibility of any assistance being rendered from the shore. When the tide had a little ebbed, several persons went on board the vessel to offer their services; and then it was discovered that no fewer than eleven persons, of whom seven were ladies, had perished in the cabins. Their bodies were dragged from below deck by boat-hooks, and laid on the companion of the vessel; and amongst the unfortunate sufferers were a Mrs. Pyne and two

of her children, whose bodies were taken through the skylight from the cabin: The prisoner, who is the son-in-law of the lord of the manor of Brancaster, was one of those who went on board the ship whilst the men were engaged in searching for the bodies of the persons who had perished. When the body of Mrs. Pyne was brought up, a black bag fell from her arm into the cabin, and the man with the boat-hook fished it up and gave it to the prisoner, who was standing close by, and who threw it towards the companion of the vessel; it was an empty bag. Presently afterwards the prisoner drew from the person of Mrs. Pyne a black velvet reticule, with a steel chain and clasp. He looked into the reticule, and took from it two small parcels packed up in paper; one of them contained some "papers with red printing on them," which it afterwards appeared were four exchequer-bills. The other was a hard parcel, about four inches in length, and two or three fingers in breadth, which a Mr. Green, who was standing by, said was "gold or silver, or something to that effect." The latter parcel, however, was not opened, and the prisoner returned it into the reticule, which he put into his pocket. He also took from one of the ears of Mrs. Pyne an earring, and a ring from one of her fingers, which he afterwards put into his pocket also. During this time the deck was crowded by persons, neighbours of the prisoner, who saw what was going on; and it was stated by the witnesses, that no injury was done, or any indignity offered, to any of the bodies of the deceased. The captain of the vessel appointed a Mr. Mingay, a merchant at Brancaster, his agent for

the care of the vessel and cargo, and Mr. Mingay on the same day applied to the prisoner to deliver to him the articles he had taken from the person of Mrs. Pyne. He did not, however, state his authority, as agent for the vessel or otherwise. The prisoner declined to give them up, stating, that he was sent by the lord of the manor to take care of the property, and to save it from plunder. On the 3rd of the same month, the prisoner delivered to Captain Nesbitt, the commander of the vessel, the rings and the reticule of Mrs. Pyne, containing four exchequer bills of 100*l.* each, nine 5*l.* notes, three sovereigns, three shillings, and sundry other articles, as the property which had been found by him in the reticule. The house in which he lived was searched, and nearly 100 sovereigns were found in the drawers of two rooms, but whether they were his rooms or those of his father-in-law (whose house it was), or of any other members of the family, was not shown; nor was there any evidence beyond that which has been detailed to show that Mrs. Pyne's reticule contained any gold or silver. With respect to the box, it appeared, that when the prisoner first went down to the vessel he was on horse-back, and that some person who was standing by the vessel, in the water, handed him a dark-coloured box, about fourteen inches in length, with which he rode towards a temporary tent erected for the reception of the bodies and property of those who perished, and in which the preventive guard were stationed. He returned in a minute or two to the vessel without the box, and it did not appear from the evidence what he had done with it, though it was

shown that he took it in the direction of the tent, and that he was absent about the time which would have enabled him to reach it. This was the substance of the evidence for the prosecution. Several of the witnesses spoke favourably of the character and honour of the prisoner. Mr. Baron Vaughan was of opinion, that there was not sufficient evidence to call upon the prisoner for his defence. The only question that could possibly arise was as to the smaller paper parcel, which Mr. Green had seen in the prisoner's hands, and which had been taken from the reticule; but there was no evidence to show that Mrs. Pyne had any more gold or silver about her than that which the prisoner had delivered up to Captain Nesbitt; and it would be too much to act upon so vague and unsatisfactory a suspicion as that which arose (if any arose) from the observation of Mr. Green to the prisoner. As to the box, it was shown that the prisoner was seen taking it to the very place erected for the reception of the property of the drowned persons, and nobody who was in that place had been called to show that he had not taken it there. Then, again, all this was done in open day, and in the presence of a multitude of witnesses.

The prisoner was therefore acquitted.

HORRIBLE DEPRAVITY.—The court of assize at Montauban was a few days since occupied with the investigation of one of the most horrible cases upon record. An inn-keeper of Bruniquel, in the departments of Tarn-et-Garonne, was accused of violating four of his daughters, the eldest of whom was not fifteen. The youngest had just attained her tenth year when the

incest was committed. She was the victim of his attacks for several days ; but she stated, that she had not complained of her father's conduct because he had threatened to murder her. The child, however, became so ill, that she appeared to be at the point of death ; and it was in this condition that she confessed to her mother what had taken place. The four children were all examined separately, and all spoke to their father's guilt. The surgeon who examined them could not speak to some material facts as respected three of the children, in consequence of the time that had elapsed ; but there was no doubt that the crime had been completed with the youngest. The jury found the prisoner guilty, and he was sentenced to hard labour for life.

29. NORWICH. — EXTRAORDINARY CASE.—Two respectably-dressed young men, Joseph and William Jones, were capitally indicted for assaulting Francis Molton, an artist of Norwich, on the King's highway, and taking from his person a silver watch and some money. The prisoners were strangers at Norwich, and the names which they gave were supposed not to be their real names. Their appearance was above that of the ordinary class of prisoners. The prosecutor was walking in the suburbs of Norwich, on the 6th of August, accompanied by a young lady, when he was stopped and robbed by two well-dressed young men, one of whom wore a black mask. On the 16th of the same month the prosecutor met two young men in the market-place of Norwich, whom he at once recognized as the robbers. The mask which the elder of the two wore had not covered his mouth ; and what he had seen of

his face, along with the peculiarity of his figure and dress, enabled the prosecutor to identify him. On perceiving that they were recognized, they ran off, but the hue and cry was raised, and they were soon taken. On searching them and their lodgings, each was found to be in possession of a black cloth mask to cover the upper part of the face, such as had been worn by the person who rifled the pockets of the prosecutor. On the elder prisoner was also found a pistol, a life-preserver, and a house-breaking instrument professionally called "a jemmy." The prosecutor swore positively to the persons of the two prisoners, and he was corroborated by the evidence of the young woman, in whose company he was when the robbery was committed. The prisoners defended themselves, and when the case for the prosecution closed, the elder prisoner made a speech which showed not only that he was a man of strong natural talents, but that his education had been of a superior kind. He stated that he was in the hat-trade, and that he and his brother left London in company with a partner, intending to travel and dispose of hats, a quantity of which they brought with them in a cart. The partner, however, turned out to be dishonest, and, having made away with the property clandestinely, decamped ; but he left some articles behind him, of which they took possession, and amongst those articles was the jemmy, or crow-bar. As to the two masks the fact was, that William Jones had a dog, with which he was in the habit of amusing himself by playing tricks, and in one of his frolics had cut out a cloth mask and put it on his face, to amuse himself by

having some sport with the dog *en masque*. The jury returned a verdict of guilty against both the prisoners, and the lord chief justice ordered sentence of death to be recorded, stating that the only mitigation to be expected was transportation for the term of their natural lives.

KILDARE ASSIZES.—TRIAL OF PATRICK WATERS FOR THE MURDER OF CHRISTOPHER BROUGHILL.—Twelve persons were charged with this murder, but as they would not join in their challenges, and as the crown was not prepared to prosecute the whole of them, the prisoner alone was tried; he was charged as a principal, being, with others, aiding and assisting in the murder.

Patrick Broughill and Mary Broughill, brother and sister of the deceased, deposed, that on the 9th of January 1833, the deceased was in his own house, standing by the fire, between 8 and 9 o'clock at night, when the door was broken in and eight or nine persons entered, one of whom presented a gun at her brother and shot him without a moment's notice. Did not know any of them.

Lewis Fitzpatrick, an approver. Has been in gaol since the 9th of March 1833; was confined for demanding arms; was a Whitefoot; was sworn in about a month before Broughill was shot; was one of the party who went to Broughill's house; Broughill was an old school-fellow of his; a few nights before he was shot, the Whitefeet had a meeting; eighteen or nineteen persons assembled to draw lots to see who should shoot him: the lot fell on witness, but he refused to shoot him; their reason for shooting him was because he was a Blackfoot, and had

taken some ground which was held by a man of the name of Mealy; the party dispersed that night without shooting the man, but were all sworn by their captain to meet again in three nights and draw lots again; they did meet, and the lot fell on a man named Grimes; they accordingly went to Broughill's house, and Grimes shot him; was standing outside looking at the shot fired; Waters was one of the party; he, with others, was posted outside as a sentinel.

By the Court—What is meant by a Whitefoot?—Why, to be a good fellow.—Was Grimes, who shot the man, a good fellow?—Oh, yes he was.—What was the nature of the oath you took?—We were sworn to take arms to beat men out of land who would take it—to wade knee-deep in Orangemen's blood.—And what was meant by an Orangeman?—A Protestant.—Was the man who was murdered a Protestant?—No, only a Blackfoot.—What else were you sworn to?—Not to keep a shilling whilst another wanted it, and to never divulge our secrets.—What were the Blackfeet?—Could not rightly tell, only that they were paid by the government for going about and finding out things.—Paid by the government?—Yes, that the government let them go about kicking up disturbances.—Joseph Cleary, an approver, and an accomplice, corroborated Fitzpatrick. Several persons were called for the defence to prove an *alibi*. The jury found the prisoner *Guilty*, but recommended him to mercy. He was sentenced to be hanged on the 7th of April.

—**THE PRINCESS OF ORANGE'S JEWELS.**—On the morning of the 26th of September, 1829, while

the Prince of Orange was absent from the palace, and the Princess was at the Castle of Tervueren, it was discovered that a casket called a *diamantaire*, in which her royal highness kept her jewels, had been forcibly broken open and carried off, with a great quantity of precious stones and pearls which it contained. A number of valuable papers had also been removed from the casket, but these were found scattered about on the floor, and part of them torn. The *diamantaire* was covered with a glass, through which the jewels deposited immediately under it were visible. On breaking the glass, these being removed, beside them would be found the key of the lower part of the casket, the different compartments of which contained other jewels. A costly shawl belonging to the Princess was also missing, but it was afterwards found on one of the ramparts, and it was supposed that it had been wrapped about the casket in the bed-chamber, and afterwards dropped or thrown away. The manner in which the Princess's bed-chamber must have been reached has been the subject of much inquiry. It is said that marks were observed on a wall, which were supposed to be made by a ladder having been placed against it. This wall being surmounted, the thief or thieves must have passed through the garden of the palace to a terrace, upon which a glass door opens. One of the panes of the glass door was found broken, after having first been smeared over with clay. When the pane of glass was broken, the door could be opened on the inside. From this door, a suite of apartments led to the Princess's bed-chamber, where the casket

stood on a table close to the fireplace. The measures taken to trace the property supposed to be stolen in the manner described were long fruitless. At last, in July, 1831, Mynheer Bangaman Huygens, the Dutch Consul at New York, was waited upon by a Frenchman, named Roumage, who told him that the lost property was in that city, and claimed the reward offered for its discovery by the Dutch government. He stated that the jewels had been brought to New York by one Constant Polari, who had arrived there in company with a female named Susanne Blanche. However, before giving this information to Heer Huygens, Roumage, being aware that precious stones are subject to a duty on importation into the United States, gave notice to the collector of the customs at New York that Polari had introduced jewels fraudulently. The collector caused Polari's lodgings to be searched, where a great number of jewels were discovered and seized. Nevertheless, a considerable number of the precious stones escaped the vigilance of the collector, being concealed in a tube in the form of a walking cane, and in the stick of an umbrella, which was also hollow. Immediately after the search, Polari, assisted by Susanne Blanche, buried these reserved jewels in a certain spot in the country near New York. On hearing of the seizure made by the collector, the Dutch Consul had the jewels compared with the description in his possession, and was satisfied that they were the property of the Princess. Polari was then apprehended, and required to explain how the jewels came into his possession. After various evasions, he at last remarked that

Mynheer Huygens must be already acquainted with the fact through Susanne Blanche. The jewels, he had no doubt, were the property of the Princess of Orange; but he solemnly declared that he was not the thief, and knew nothing of the manner in which the robbery had been accomplished. The Dutch Consul had indeed been told nearly the same story by Susanne Blanche, with the addition that Polari had buried in the neighbourhood of Brussels a pot containing other valuable articles and all the cases and gold settings of the jewels. It appeared that Roumage had formed an intimacy with Susanne Blanche, and learned from her the facts which he had disclosed to the Dutch Consul, and also the spot where the remaining jewels were buried, in a wood not far from New York. Having got Polari fast in prison, Roumage and Susanne resolved to dig up the jewels, and go off with them to England. No time was lost by Roumage in extracting the jewels from the hole in which they had been deposited; but before he was prepared for the voyage to England, he brought a few stones of great value to the Dutch consul, and said that he had discovered them since Polari was in custody. It is conjectured that these were jewels which he thought he could not easily dispose of, and the delivery of which to the consul would lull any suspicion which might have been awakened against himself. On a future examination of Polari, the Dutch consul, in the hope of obtaining further disclosures, exhibited one of the jewels he had received from Roumage, and asked the prisoner whether he knew it. Polari perceived that he had been betrayed by Susanne Blanche, and

described the place where he had concealed the treasure. The consul proceeded immediately to the spot, but of course found nothing. He then got warrants for the apprehension of Roumage and Blanche, but they had sailed for England the day before. Heer Huygens immediately despatched a messenger with the necessary evidence, in a vessel bound to Liverpool, where the fugitives were apprehended, and the jewels delivered to the Dutch consul at that port. In the mean time an iron pot, which had been buried in a wood near Brussels, was dug up, and in it were found a number of cameos and small stones, and all the gold settings of the jewels.

Polari, who had been sent in custody to Holland, in his examinations before the judicial authorities at the Hague, stated, that in the year 1827 he came to Brussels from Lyons, where he had been carrying on business, but had failed; that in the month of November, 1829, as he was walking in a wood, he observed three persons busy in digging a hole; that on the following night he went to the same spot, and, on digging, found the casket and the jewels; and that on examining the jewels he believed that they were those which had been stolen from the princess of Orange. He further stated, that in July, 1830, he went to Lyons to see Susanne Blanche, with whom he had formerly lived, and took with him some of the jewels, one of which he sold there, and returned in January, 1831, to Brussels, accompanied by Susanne. They soon after resolved to leave Europe, and, on embarking for New York, he took the name of Carrara.

After various examinations, he

was indicted before the court of assize for South Holland ; and the 7th of March was appointed for his trial. Before that day the prisoner confessed the robbery. On his trial, after the first witness, Heer de Knyff van Gontreuil (referendary to the council of state, and formerly head of the Brussels police), had concluded his deposition relative to the discovery of the loss of the precious stones, the President asked the prisoner whether he had any remark to make on that officer's evidence. Polari then addressed the court in a long narrative, which he commenced by again avowing his guilt, and his sincere repentance for having committed a crime which he considered the greater on account of the "infamous advantage which calumny and malevolence had taken of that unfortunate event ; and declaring that he was the sole offender, and had no accomplice." In the course of his address, he also said, that he intrusted Susanne Blanche with the secret of his having buried an iron pot containing part of the jewels near the cemetery of Tenouille, for the express purpose that after his death there might exist proof of his being the robber, and that innocent persons might thus be relieved from all suspicion. He had even resolved to leave in the hands of Susanne Blanche a paper acknowledging his guilt, with directions that it should be produced after his death ! Besides the referendary, only two other witnesses, a Russian councillor of state, and the princess's femme de chambre, also a Russian, were examined, and they merely identified the trinkets. The advocate who defended Polari, contrary to his desire, insisted that no regard ought to be paid to his confession ; that there was nothing in it which

he might not have easily collected from the accounts of the robbery in the newspapers, and that there were numerous instances of persons accusing themselves, from various motives, of crimes which they never had committed. Notwithstanding this defence, Polari still adhered to his confession. The court condemned Polari to exposition in the pillory for half an hour, twelve years' imprisonment, and payment of the expenses of the process ; and it moreover ordered "that an extract of the judgment be posted up at the Hague, and also at Brussels."

APRIL.

1. LAUNCESTON.—Alfred Rae, fifteen years of age, was charged with having assaulted Grace Brenn, in the parish of Botolph Claydon.

Grace Brenn, the prosecutrix, was put into the witness-box. "On the night of Tuesday, the 11th of March, at half-past nine, I was retiring to rest, when, hearing a knock at the door, I asked 'Who's there?' Some one answered, 'a lad—a boy who has lost his way.' I said I could not think of opening the door ; it was time every one should be at his own home. He said, 'you had better !' I then unlocked the door and opened it. He said it was dark, and he would go in and stop at my house ; and with that he came in, the door being then open. He locked the door on the inside, and took out the key. He said he was tired and hungry, and desired me to put on the kettle and make him tea. This I did. He said he should like to have a bed. I said I had two beds, but could not think of a person like the prisoner sleeping in the

house; he said he would go up and bring it down himself: I said no: I went up stairs and threw down a bed: I came down again, lighted a candle for him, took my own candle, and went up stairs, and drew the door of the staircase after me: there was no other fastening but the latch. I did not go to sleep; and my candle, which was all I had left in the house, had burnt down in the socket, when Rae rushed into my room to the side of the bed where my little girl lay; I was on the other side by my boy: he took up the girl, and flung her to the bottom of the bed, and in a moment threw himself across the bed, and laid hold of me by the head: I exclaimed, 'Good God! what have I done?' At length I succeeded in gaining the staircase, down which I rushed, when the prisoner, leaning over the rail of the stair-head, laid hold of my hair, by which he attempted to pull me up stairs again. My hair gave way, and I fell through the staircase-door, at the bottom of the stairs. I got up and tried the front door; the key was out. I tried to push the lock back; he came down again; I continued screeching, and said, I wish I'd never opened the door to him; he said, if I had not, he would soon have opened it. I sprung to the window; he caught me by the left arm and side, and dragged me back. One tooth had been knocked down my throat, another broken off in the jaw, which was much swollen, my head had been cut with the shovel, and my limbs bruised by the fall over the stairs.

W. Summerfield—Spoke to Mrs. Brenn coming to his house, at a distance of a quarter of a mile from her cottage, at about half-past two

in the morning. Witness's mother washed off the blood which was flowing from the back part of her head, and which had wetted her clothes.

The jury returned a verdict of 'Guilty,' with a recommendation to mercy; and the judge sentenced the prisoner to two years' imprisonment and hard labour!!

FUNERAL OF MRS. BURNS, AND EXHUMATION OF BURNS'S SKULL.—This day the remains of Mrs. Burns, the widow of the poet, were interred in the family vault, in the presence of a great number of spectators. So great was the anxiety to enter the mausoleum, that the pressure, in the first instance, occasioned a slight degree of confusion; but in a minute or two order was restored, and the body was lowered slowly and solemnly into the family vault. Five relatives attended the interment,—viz., Mr. Robert Burns, eldest son of the poet, Mr. Robert Armour, the widow's brother, and the husbands of three nieces, the Messrs. Irving and Mr. M'Kinnel. The grave was covered in a brief space; the chief mourners then withdrew; and after everything foreign had been removed from the vault, the executors gave the necessary directions for restoring the large stone which guards the entrance to the tomb of the poet. As this was a task of considerable labour, several hours elapsed before it was completed; and in the interim thousands gratified their curiosity by taking a parting look at the resting-place of genius. It is known that the remains of Burns were exhumed, privately, on the 19th of September, 1815, and deposited, with every regard to decency, in the arched vault attached to the mausoleum, then newly

erected in honour of his memory. Originally his ashes lay in the north corner of the churchyard; and as years elapsed before any general movement was made, his widow, with pious care, marked the spot by a modest monument. Everything was conducted with the greatest propriety and care; and after the second grave-bed of the poet and his offspring had been carefully prepared, the original tombstone was placed above their ashes, and the vault closed for a period of nearly nineteen years—from the 19th of September, 1815, till the 28th of March, 1834. On the day preceding Mrs. Burns's funeral, the vault was opened by Mr. Crombie, a work of considerable difficulty and labour. At 7 in the evening, a small party repaired, one by one, and by different routes, to St. Michael's churchyard. But the hour was found unsuitable. At 9, the attempt was renewed with success. Again the party conferred privately, and proceeded stealthily, one after another, by the quietest paths; and after clambering over the churchyard walls, met by appointment in front of the mausoleum. While one of the party kept watch above, the rest descended into the vault by means of a ladder and a muffled lantern. The process of disinterment was comparatively easy; and Mr. Bogie, who had seen the skull in 1815, proclaimed its identity the moment it appeared. After it had been carefully cleaned, a cast was taken from it before the parties retired to rest. Early on Tuesday morning a leaden box was made, and carefully lined with the softest materials; and on the same day the skull was re-interred.

2. YORK.—MANSLAUGHTER IN A FACTORY.—Joseph Ratcliffe, the

overlooker at a hemp-manufactory of a Mr. Walker, at Leeds, was put to the bar, charged with the manslaughter of a boy named Samuel Tomlinson, at Leeds. Some of the boys employed in the factory deposed, that, on one occasion, the deceased was sent up a ladder to a loft to get some heckles down, and that, in descending, his smock caught some other heckles, and drew them from the loft, by falling from which the points were broken against the floor. The prisoner took the ladder and struck the deceased over the back of the neck; he fell to the ground. One witness said he staggered, but did not fall. On a subsequent day it was the duty of the deceased to screw a press together, which he performed as well as his strength would admit; but the boards being loose, the prisoner took an instrument called the lay-brush and beat him violently over the back of the neck. On another occasion a number of the boys were playing with some mats, before six o'clock in the morning, when the prisoner beat them with a rope. He then called the deceased back, put the rope round his neck, and, lifting him with one arm from the ground, threw the other end of the rope over the steam-pipe, which went along the factory, about eight feet from the floor, and drew the boy up, so that his feet were completely off the ground, and he was suspended by the neck. In this position the prisoner kept him, he kicking and struggling all the while, for two or three minutes, till he was black in the face. The deceased was then let down to the ground, and beaten, as he lay, with the rope. After some time he went to his work, but the next day complained that his neck was stiff. He

was not able to work after that; and, growing worse, was taken to the Leeds Infirmary in March, 1898.

After remaining there about eight weeks he was removed to another building attached to the Infirmary, where he still continued to get worse, and was reported incurable. He lingered for between eight and nine months from the time when the injury was received, and then died.

Mr. Hey, surgeon to the Leeds Infirmary, under whose care the deceased principally was while there, examined the body after death. Excepting an adhesion of the lungs to one of his sides, the viscera were in a healthy state; but at that time the body was much emaciated. On examining the neck he found that an ulcer had been formed. The vertebrae of the neck were diseased. There was an abscess and a collection of matter external to the bone, but connected with the spinal marrow; and the membranes investing the spinal marrow were diseased, as was also the marrow itself. The bones, called the spinous and transverse processes, were diseased and carious; but the bodies of the vertebrae were sound and healthy. In natural diseases of the spine the body of the vertebrae is affected. In those produced by violence, the processes would be most likely to be affected. A natural disease of the spine continues generally two or more years before it produces death. In the opinion of the witness, the disease of the spinal marrow was the cause of death, and that disease he believed to have been produced by external violence. The boy's limbs had been gradually paralyzed as the spinal marrow became affected, and for some time before his death were entirely so.

Mr. Smith, principal surgeon to the Leeds Infirmary, gave evidence to the like effect.

On the part of the defendant, a surgeon was called, who stated, that he had attended the boy's father, who was of a scrofulous habit, and so was the deceased, which greatly encouraged diseases of the spine. He believed the cause of the boy's death to have been natural, but greatly accelerated by his constitution and habit of body.

The prisoner put in a written defence, denying the charge, and stating that he was obnoxious to the trades' unions, who were determined to ruin him, because he refused to join them.

Mr. Walker, his employer, and several other persons, gave him an excellent character.

It was stated in the course of the examination that there had been a turn-out at the factory since the inquest was held, and one of the boys examined for the prosecution said, that he was receiving six shillings per week from the union.

The learned judge said, it was lawful for a master to use moderate correction, with proper instruments, for the misbehaviour of those who were under him, but it must not exceed the bounds of moderation. In the present case, they must be satisfied that the prisoner had used improper means or instruments of correction—that the correction itself was immoderate,—and that the consequences produced by it caused the death of the deceased: otherwise they must acquit the prisoner.

The jury returned a verdict of "Guilty," at the same time recommending the prisoner to mercy. The sentence of the Court was, that he should be imprisoned for twelve calendar months.

3. LONDON UNIVERSITY.—At a court of common council the lord mayor stated he had received a requisition, numerously signed, calling on him to convene a special court to consider the propriety of presenting an address to his majesty, praying that a charter might be granted to the London University. The requisition having been read, Mr. R. Taylor said it was in consonance with the feelings of the friends of liberty, that the Corporation of the City of London should address the throne, praying that the privilege of conferring degrees might be granted to the London University. He had reason to believe that the king and the ministry concurred in this view of the case, and that the signature of his Majesty would have been put to the charter, had not a petition against it been presented by the University of Oxford. Mr. Taylor concluded a very long speech in the same strain by moving resolutions to the effect stated in the requisition. Mr. Heppell having seconded the resolutions, Sir Peter Laurie said, that Oxford, Cambridge, and all other colleges never had the power of conferring degrees until they had gained a high reputation for classical and scientific learning. It had been stated that the charter of the London University had been approved of by his majesty and his ministers. Why, then, could it be necessary for that court to assemble to support the king and his ministers against the mighty power of the University of Oxford? The London University he really looked upon as a mere joint-stock company: he held in his hand a 100*l.* share of the London University, which had been sold that very morning for 23*l.*; and

how could the corporation be justified in going to the king to ask a charter for a concern whose shares sold for 23*l.* a piece? The lord mayor, aldermen and common council, had never yet gone up to recommend a Stock Exchange affair, and why should they begin now? There was a college at Haileybury, where education was most liberally and judiciously promoted. Why had not that school applied for a charter? This claim was, in his opinion, as strong as that of the University of London.—Mr. C. Pearson, and Alderman Wood supported the motion, which was carried without a division.

— ACCIDENT ON THE RIVER.

—An inquest was held before the coroner for Surrey, on the bodies of four individuals, who had been spending the day at Greenwich fair, and, in returning to London, were drowned.

Samuel Pope, a waterman, deposed, that, about half-past eight o'clock, he was engaged by the deceased persons and a young man named Heffernan to convey them from the Horse-ferry, at Greenwich, to the Tower-stairs. Three of them (two women and one man) first got into the boat, and the other two, who were strangers to each other, got in soon afterwards. Witness rowed the boat without any assistance from the passengers, keeping the side nearest the south shore in his course. On his arrival near the Commercial Docks, he rowed between the two dolphins to which the ships are moored, a distance of about ninety feet from the shore; and when off the premises of Mr. West, mast and block maker, just above the Dock, the boat ran on the head of a spar, or mast, lying in the river.

He did not see the spar before he struck ; and as soon as he had felt the obstruction he begged his passengers to sit still, and jumped out of the boat on to the mast for the purpose of shoving her off. Some of the passengers, however, rose up, which caused the boat to ship a quantity of water at the stern. The persons on the other side, on finding the water coming in, also rose from their seats, thus causing the boat to heel on one side, and to fill and sink. One of the passengers and witness were saved, and the other four were drowned. When the boat capsized, witness called aloud for assistance, but more than five minutes elapsed before any aid was rendered. The first boat which arrived to render assistance contained three men, who succeeded in saving Heffernan. Other boats then came to their assistance, but it was more than half an hour before the bodies of the deceased persons were recovered from the water. This evidence was confirmed by other witnesses. The jury returned a verdict, "That the deceased came by their deaths by being accidentally drowned."

5. A civil war on a small scale had been for some months in progress in a part of the county of Limerick, arising out of a contention for the possession of a small embarrassed property, which terminated by the sentence of death being awarded against one of the rival leaders, a gentleman named Robert Cole Maxwell, under Lord Ellenborough's Act, for firing with intent to kill. The convict, Robert Cole Maxwell, and his prosecutor, Robert Lowe Holmes, were both relatives of a Major Samuel Maxwell, who died in May last, leaving a farm near Charleville, called Garrandirk, of

which he had been lessee. No will was found ; and the Major's uncle, Robert Maxwell, Esq., of Charleville, entered on the lands for debts due to him by the deceased. Robert Cole Maxwell now claimed the property, as nephew and heir-at-law of the deceased. The uncle, however, refused to yield possession ; and thus matters stood, when Mr. Robert Lowe Holmes came forward and stated, that he had a will made by the deceased, in which the property was devised to himself, and, on the strength of the document, he took forcible possession of the farm and dwelling-house. On that very night possession was forcibly retaken by the followers of Robert Maxwell, sen., with the loss of one life, which a coroner's jury declared to be accidental death. Mr. Maxwell, sen., however, finding that he could not legally retain possession, made a formal surrender of the property to R. Lowe Holmes, as devisee under the alleged will. Holmes had not yet obtained actual possession of the place, when Robert Cole Maxwell, either distrusting the assertion of Holmes as to the will, or resolved to enforce his claim as heir-at-law, until it should be wholly nullified, anticipated Holmes by taking possession of the property, which he retained from the 12th to the 29th of July. He had even severed the growing crops. Holmes on the latter day collected a posse of followers, and marched to the scene of combat, Garrandirk. The engagement was a sharp one ; but Holmes was the victor, and succeeded in carrying off the crops. On this occasion Maxwell was fired at by one of Holmes's party. This occurred on the 29th of July. On the 31st, Maxwell and his

party went armed to Holmes's residence, in order to retake the property of which the latter had possessed himself. It was in this last affray that the offence was committed for which Maxwell received sentence of death. It was stated in evidence that in a kneeling posture he took deliberate aim, and shot his rival and relative, Holmes, who was wounded, though not mortally.

There was a counter prosecution against Robert Lowe Holmes and his party, who were found guilty of riots on the 29th of July, but were acquitted of the capital offence. Mr. Holmes was sentenced to nine months' imprisonment.

Shortly after sentence of death was pronounced on Maxwell, he became so much affected that immediate restoratives were found necessary to revive him. On his way to the county prison, the guard by whom he was surrounded had frequently to halt, that he might be refreshed with water, and a prisoner, to whom he was chained, had to support him by exhortation as well as by personal assistance. He wept bitterly. On reaching the gaol, both parties, the Holmeses and the Maxwells, who prosecuted each other, were locked in the same ward, in the condemned cell, at the end of which Maxwell was placed in solitary confinement. Both parties wept at their fate, and all seemed deeply affected at the fate of Maxwell. Holmes entered his relative's cell, but immediately rushed out, both having burst into tears on recognizing each other. The principals in this disastrous contention stood in the relationship of first and second cousins.

6. FIRE ON BOARD A DUBLIN STEAMER.—A little after 5 o'clock

on Sunday evening the crew of the William Fawcett, which had arrived the previous morning from London, were alarmed by seeing smoke issuing from the cabin, and from the place adjoining to that in which coals for the use of the engine were kept. On examination, it was found that fire was spreading in the rooms under the quarter-deck, and messengers were at once despatched for fire-engines. The vessel was scuttled in several parts adjoining the stern, but from the lowness of the tide the water did not reach to many feet. It was a considerable time before more than one engine arrived, and then the fire had attained a fearful height, rolling in large masses out of the windows, and curling round the seats on deck and the wheel. The planks soon gave way, and all the stern became one fiery mass; while the flames ran up the cordage and coiled around the mast adjoining the large chimney. A number of engines reached some time after the first one had commenced playing, and a sufficient supply of water was obtained from the river; buckets were also handed about by a chain of men stationed on the vessel; and broad planks having been laid from the side, the Globe engine was brought on board to play more effectually. The sailors commenced removing the luggage and bedding; the sails were carried away, and all the stairs and timber-work, which could be removed, were thrown into the water, and then taken in tow by men who were stationed with boats round the vessel. The mast nearest to the stern having at last taken fire, to prevent danger from its falling upon the people on shore, it was flung into the water by means of ropes twisted round the upper

part. About 8 o'clock the flames began to subside, and at 9 nothing remained but a dense smoke. On the blackened mass which the quarter-deck now presented large streams of water were discharged, and this was continued up to a late hour. During the confusion, when the conflagration was raging most intensely, the funnel, or chimney, having lost its support, fell upon the deck with a fearful crash, striking down one man, who was removed to the hospital, having been dangerously hurt by the blow.

7. CHESTER.—William Nailor was indicted for shooting at Mr. James Wilkinson, at Stayley, with intent to murder him.

By the evidence adduced it appeared, that, on the 15th of October, the prosecutor returned from Manchester market about 6 o'clock in the evening, and, as was his custom, immediately went to his mills. On his way he saw a man drop from a wall, and eye him in a very suspicious manner; and he had not gone many steps before he was shot at from behind that wall. A witness, who was in that neighbourhood, saw a man jump over the wall, and heard voices; and after the report of the gun had been heard, a woman saw a person run from the fields in the direction of the prisoner's house. The evidence against the prisoner was merely circumstantial. It appeared that some pigtail tobacco was found near the spot, partly chewed, and the prisoner was in the habit of chewing tobacco; part of the Manchester and Salford Advertiser, which appeared to have been used as wadding, was also found near the spot; and a beer-shop keeper, at whose house the prisoner was drinking part of that night, deposed

that he took in that paper. When the prisoner was apprehended, and before anything had been said to him about the charge on which he was apprehended, he said he was at Ashton wake on Tuesday. The prisoner's shoes had an unequal number of nails round them, one seventeen and the other eighteen; there were also rows of nails round the inner part of the heels of the prisoner's shoes: one had eight, the other nine in the heel; the shoe with seventeen nails round the sole had the nine, and the other eight. Impressions made near a stone, on which the person who shot at Mr. Wilkinson must have stood, and in a gap leading from a field through which a witness saw a man running, after hearing the report of a gun, corresponded exactly with the nails in the prisoner's shoes. It was proved that the man, who was met by Mr. Wilkinson near the spot, was a man with whom the prisoner had been drinking that night; and an account given by the prisoner, after apprehension, of the place where he spent the night, was proved to be false. Evidence was also adduced to show that, within an hour after the assassination was attempted, he was at a beer-shop within a quarter of a mile of Mr. Wilkinson's house. The jury found the prisoner "Guilty;" and the judge passed sentence of death upon him.

11. ACCIDENT ON THE RAILWAY.—As the 2 o'clock first class coach train from Manchester had proceeded about half way down the Whiston inclined plane, a man with a cart and two horses imprudently attempted to cross the railway from left to right, when the engine was within some forty or fifty yards from the spot, and when

it was impossible to stop in time to prevent a most violent concussion. The consequence was, that the cart was broken to pieces, two cart-horses were killed, the carter had his arm broken and his leg seriously injured; the engine was overturned, and the tender very much damaged. Of the coaches only one was injured, and that slightly; and no passenger was hurt. The train was delayed three-quarters of an hour, till another engine could be procured to bring the coaches forward. The railway at the place of the accident is perfectly straight in both directions for upwards of half a mile, without anything to interrupt the view; so that, if the carter had used the most ordinary precaution of looking along the line before he attempted to cross, no accident could have happened.

10. BRUTAL MURDER. — A most premeditated and barbarous murder was committed about the hour of 11 o'clock in the morning of Thursday the 10th instant, in the townland of Maghiralongford, county of Tyrone, seven miles from Dungannon. In the month of November last, a man named James Tormar was dispossessed of his land, being unable to pay the arrears of rent; another person, named Bernard O'Neill, paid the amount, and was regularly put in possession. Tormar several times told O'Neill that he would shoot him, or the first person he should employ to cultivate the farm. O'Neill, however, on the day before mentioned, went on the land with his horse and plough, together with a man named Hugh Neill, whom he had hired for the occasion. Tormar, observing them coming towards the field, proceeded to a house two fields off, from which he took a gun, and came

back to the field. O'Neill and his man were about to enter, and were then standing on the road, when O'Neill said he would plough the land. Tormar advanced, and in the most deliberate manner took regular aim at him and missed fire. At this moment Neill advanced, whom he covered in like manner, and shot him through the heart, not being more than eight paces from him when Neill fell. O'Neill seized Tormar, and although the deceased was weltering in his blood, there were four persons barbarous enough to rescue the murderer. Mr. Duff, chief constable of police, having received intimation of the murder from Mr. Caulfield, a magistrate, dispatched a sergeant and five cavalry, and proceeded to the spot, where, on his arrival, instead of meeting with any assistance, by information or otherwise, from the persons assembled, one and all of them entered into a justification of Tormar. The chief constable, thinking it likely the murderer would shelter himself in a large and thick wood called Killacolpy, about three miles further on, made for it, and, having dismounted some of his men, in a few minutes apprehended the murderer, concealed in a large thicket. Crowds of persons assembled and followed, all of whom expressed much more sympathy for the murderer than for the deceased, his widow, and five helpless children; and, on their being reasoned with on their want of feeling, several of the crowd said "Tormar did quite right to shoot him; there is no man here who would not do the same to any man who should take land over our heads."

The coroner's inquest returned a verdict of "Wilful Murder

against Tormar ;" who, with Mary Devlin, one of those who rescued Tormar in the first instance, was lodged in Dungannon-gaol.

10. EXTRAORDINARY VOYAGE. —Papers from the Cape of Good Hope announce the arrival of the *Circe*, of only twenty-six tons burden, and having only three men on board. On the 2nd of August, 1833, she left Deptford, and reached Scilly on the 12th, Madeira on the 21st, the Canaries on the 23rd, and the Cape de Verdes on the 30th of the same month. On the 16th of September she again set sail, and crossed the line on the 6th of October, then stretched over to Abrolhas, on the South American coast, and touched at the Isle de Grand on the 30th. On the 3rd of November she arrived at St. Sebastian, and remained there ten days. She thence made her way across the Atlantic, and reached Elizabeth Bay, on the African coast, on the 1st of January last, where she stayed eighteen days, and arrived in Saldanha Bay on the 7th of February, having been about seven months in completing this singular and bold undertaking.

13. SUICIDE OF A CLERGYMAN. —A short time since the rev. W. Goddard, M.A., Fellow of Jesus College, Oxford, was appointed to the living of Charlton Kings, where, from his zeal, ability, and general demeanour, he had gained the esteem and friendship of many of the principal inhabitants; though it was observed by his family, within the last few weeks, that he had been frequently subject to fits of despondency. On the evening of Monday, he invited a party of friends to tea, and after they had departed, he took leave of his sisters, about eleven o'clock, saying

"that he should not be at home to breakfast on the following morning." He did not, however, retire to rest until two o'clock, and having risen at six on Tuesday morning, went by coach to Gloucester. On his arrival in that city, he repaired to an hotel, when he asked to be shown into a bed-room. He then went to a gunsmith's shop, where he purchased a pistol of a female who was behind the counter, and asked her whether she had any bullets: on being answered in the negative, he begged her to have some cast for him. In compliance with his wish, she said, that having a mould of the proper size, she would cast them herself, and during the process he walked leisurely, and apparently without any emotion, to and fro in front of the shop. Having obtained ten bullets, he returned to his bed-room, at the hotel, where he loaded the pistol with three of them; after which he placed the muzzle to his mouth, and blew out his brains. Such was the force of the explosion, that the pistol burst—his brains were scattered about the room, and part of the skull was forced through a pane of glass in the window, and found in the court-yard. The rev. gentleman had lately suffered much from religious despondency, and had told a friend that he had been greatly troubled by visions in which he held interviews with the evil one, who had tried to tempt him, but in vain, "for he would not be tempted by him." At college, he was distinguished for his acquirements in literature and theology.

15. A riot of a serious description occurred at Oldham. On the day previous, two members of a Trades' Union, at a meeting of their body, were arrested by some

policemen, after a desperate struggle. They were on their road to Hollinwood, under custody of two officers, for the purpose of being examined, when a large crowd attacked the officers, whom they beat severely, and rescued the prisoners. This occurred in front of Bankside-mill, which belonged to a Mr. Thompson, who was disliked by the Unionists on account of his employment of 'knobsticks,' or men not belonging to the Union. These knobsticks had, it appeared, been provided with arms for their defence, but, as it turned out, used them for offence; for, appearing at the windows of the building, they made a foolish display of their weapons, and fired blank cartridge at the passing mob. One shot, however, actually took effect, and killed a man named James Bentley. This so incensed the mob, that the windows of the manufactory were immediately demolished, the dwelling-house of the proprietor entered, and a total destruction of its contents effected. The liquors were drunk in the cellars, the cabinets rifled and broken, the victuals eaten, and about 50*l.* in money stolen. One of the lower rooms was filled with printing-cloths, which the mob set fire to. In the course of the tumult the two prisoners were rescued. The arrival of a party of lancers eventually caused the dispersion of the mob. The two Union men, who were rescued, afterward surrendered, and were liberated on bail; meanwhile, the town was in a state of great confusion. A meeting of upwards of 10,000 operatives was held the next day on Oldham Edge, or Moor, at which resolutions to support their fellows were entered into. At a coroner's inquest sub-

sequently held on the body of the individual who was shot, a verdict of *Manslaughter* was returned.

MEETING OF THE TRADES' UNIONS. — The meeting of the Trades' Unions of the metropolis and its vicinity, for the purpose of proceeding in procession to the Secretary of State for the Home Department, with a petition or memorial to his Majesty, praying for a remission of the sentence passed upon the six individuals convicted at the late Dorchester Assizes for administering unlawful oaths, took place on the 21st inst., in Copenhagen-fields. The hour appointed for the assembly of the Unions was eight o'clock in the morning. The first notice of any preparation was the arrival, shortly after seven o'clock, of a waggon laden with blue and red banners, and a triumphal car, constructed of light materials, decorated with festoons of blue and red calico, and designed to bear the petition to the threshold of the Home Office. Banners, bearing the number and initials of each lodge, were shortly afterwards erected at convenient distances, under the direction of certain members, who, on horseback, conducted and marshalled the procession. This work had scarcely been completed, when the committee, including Mr. Owen and the Rev. Dr. Wade (the latter in full canonicals, with his hood as doctor of divinity) arrived, and shortly afterwards the first lodge, that of the tailors, took their stations in columns on the ground allotted to them. In a few moments the whole of the roads and inlets of the neighbourhood appeared filled with a dense mass; and in a short time every banner (they were thirty-three in number) was supported by a numerous corps,

each man wearing a red riband. Through a dense mass of spectators the procession moved along King's - cross, Gray's - inn - lane, Guilford - street, Russell - square, Keppel-street, Tottenham-court-road, Oxford-street, Regent-street, the Quadrant, Waterloo - place, Pall - mall, Charing - cross, and Whitehall. The shops along the whole line of route were closed. The procession, as it passed along, was not unfrequently greeted by loud cheers from the congregated spectators lining the streets and crowding the house-tops; but every such manifestation of feeling was immediately checked by the Unionists themselves. The procession passed the Horse-guards (the gates of which were shut) precisely at twelve o'clock. The dense crowd, which in its progress the procession had accumulated, now made it difficult to convey the petition to the Home-office. It was, however, after a delay of a few moments, removed from the car, which had been borne on the shoulders of twelve Unionists, and five deputies followed it into the Secretary of State's office, where they were met by Mr. Owen, who had quitted the procession in Tottenham-court-road. They, and Mr. Owen, were shown into Mr. Phillipps's room. One of them said that they wished to see lord Melbourne. Mr. Phillipps said, lord Melbourne could not see them. Mr. Owen wished to enter into a discussion, upon which Mr. Phillipps asked him if he was one of the deputation. He replied in the negative. Mr. Phillipps said that he was authorized only to receive the deputation. Mr. Owen again wished to enter upon the subject of the petition, when he was interrupted

by Mr. Phillipps, who repeated he could receive only the deputation. Upon this Mr. Owen called upon the deputation to go out with him. After some delay the deputation returned again to Mr. Phillipps, but without Mr. Owen. Mr. Phillipps then asked if they were a deputation from the meeting held that morning at Copenhagen-fields, and if they brought the petition from the body assembled there, accompanied by a procession through the streets to this office? They answered in the affirmative. Mr. Phillipps then said, viscount Melbourne was in the office, and that he had his directions to say, that his lordship could not receive a petition presented under such circumstances, and in such a manner; that viscount Melbourne had seen a copy of the petition; that he did not disapprove of the language of it; and that, if that petition should be presented on another day, and in a becoming manner, he would receive it, and lay it before the king; that viscount Melbourne directed him to add, he would always be ready to present to the king any petition respectfully worded and delivered in a proper manner. The deputation then asked if the petition was refused. Mr. Phillipps repeated what he had before said, and desired that they would be accurate in any report they might make of what had passed. The deputation then retired, taking the petition with them, without saying anything further. — While the deputation was engaged at the Home-office, the procession continued to move on down Parliament-street and over Westminster-bridge, with the intention of waiting in the open space opposite Bethlem-hospital for

the answer to the petition. On arriving there, however, it was found that the space was too small to accommodate the procession, swelled as it was by the numerous body of spectators whom curiosity had collected on its march. From this open space the route was continued up St. George's-road, passing the Elephant and Castle, and taking the Kennington-road by Newington-church on to Kennington-common, which was entered by the gate close to the Kennington toll-house. On entering they turned to the left, making a circuit of the whole common, round to the gate by which they came in, so as to occupy the extreme verge of that space in ranks of five or six abreast. By the time that this outer line was nearly completed the deputation arrived on the common, and communicated the result of their interview at the Home-office. Soon after this a similar communication was made to the main body, which was on its way to the common, and an order was given to halt. There some of the lodges separated and broke into small detached parties. Others commenced a retrograde movement in the reverse order of that in which they had advanced. Others again wheeled round and made their way back by Kennington-cross towards one of the bridges; but a very numerous body remained for a while on the common to rest or regale themselves, as circumstances permitted. Of the former kind of relief it was quite obvious that very many of them stood in great need. After resting themselves for some short time, they all departed in perfect good order. By half-past four or five o'clock the common and its vicinity were completely cleared.

The numbers of the Trades' Unions actually present on this occasion were estimated at about 30,000.—On the 24th the petition was presented to lord Melbourne by a deputation from the Trades' Unions, and laid before the king in the usual way.

25. COURT OF CHANCERY—OPENING OF THE COURT OF COMMON PLEAS TO THE BAR.—The Lord Chancellor directed the registrar to read the king's warrant under the sign manual, which his lordship had received, respecting the opening of the Court of Common Pleas.—The warrant was then read, which, after reciting the inconvenience occasioned by the enjoyment of the monopoly of pleading in term by the serjeants of the Common Pleas, directed that all barristers should be at liberty, after the first day of Trinity term, to plead in that as in the other courts. The warrant, then, specifying the names of the several serjeants, ordered that they should in future rank, according to their seniority, after the king's counsel.—His lordship observed, that this rank had been conferred by his majesty on the serjeants as a compensation for the expense they had been put to in taking the degree they bore, and the loss they would sustain by being deprived of the privilege which had accompanied it. It would be understood, however, that this rank would not be extended to serjeants hereafter to be made.

29. This day before the Tribunal of Correctional Police began, the trial of twenty members of the Société des Droits de l'Homme, who, with two others, named Lemonnier and Depée, that had made their escape, were ar-

raigned for exciting the workmen to form combinations—namely, Lebon, a medical student; Vignerte, an advocate; Berryer Fontaine, a resident assistant at the Hotel Dieu; Recure, a doctor of medicine; Mathé, a law student; Dufaire, a licentiate in law; Royer, a cabinet-maker; Ephraim, Rigal, Courtet, and Péchoutre, shoemakers; Pasquier Labruyère, a compositor; Pandelet, a printer in mezzotinto; Pérard, a glover; Bourrière and Dupny, curriers; Goubert and Rabis, printers; Seigneur Jean, a butcher; and Allard, a locksmith. The previous examinations showed that, on the 8th of December, eleven of them were arrested when assembled at the residence of Lebon, and that, at the same time, there were seized a number of letters, signed by Lemonnier, calling a meeting of the committee, designated *Le Propaganda*; two lists, containing the names of the persons found at the meeting, with ten or eleven others; and an order of the *Société des Droits de l'Homme* for keeping the anniversary of the 5th and 6th of June, stating that the popular victims of these heroic days merited a mark of admiration, and to be hereafter honoured by being imitated; and pointing out to the sectionaries how much the republican party had gained in numbers and strength from the declaration of martial law, and the other cowardly measures adopted by the government after its pretended victory over them. Lebon, on being interrogated, refused to declare who was the writer of this document; and, being questioned by the President as to a pamphlet found at his house, containing a plan for uniting all the workmen in one combination, which was known to be

written by the prisoner Dufaire, though signed by Ephraim, he declared that it was not the work of any individual, but edited by the whole society; that its publication, however, was renounced, and that only a small number of copies had been printed. He further stated, that the workmen found at his house were called together by the committee of the Propaganda, in order that the principles of the society might be diffused more widely among the people. Vignerte admitted that he was a member of the central committee of the Society, and of the Committee of Propaganda. Amongst the papers seized in his possession was a letter addressed to Citizen Deville, at Tarbes, in the name of the Central Committee of Affiliations, for the departments, signed by M. Voyer d'Argenson, M. Guinard, and others, and by Vignerte, as Secretary, urging Deville to draw up republican instructions for the people. There was another document, signed by Royer, containing a plan for a confederation between the masters and journeymen cabinet-makers, without distinction, the object of which was, to put an end to the misunderstandings that prevailed between them, by declaring that there should be no fixed rate of wages, but that each might make his own arrangements. The answers to the questions put to the other prisoners all tended to maintain, that their views were only to induce the workmen to connect themselves with the *Société des Droits de l'Homme*, and not to excite them to form combinations against their masters. M. Voyer d'Argenson, on being examined as a witness, avowed that he had always expressed a wish that the working classes should join the

Société des Droits de l'Homme, the principles of which he had professed in the Chamber of Deputies. Dr. Beaumont, a physician, deposed that the Société des Droits de l'Homme was always an enemy to combinations of workmen, though anxious for promoting political associations.

Many other witnesses were examined on the part of the prosecution, and cross-examined on the part of the prisoners; the object of the examination being to establish, and of the cross-examination to disprove, that the Société des Droits de l'Homme promoted and encouraged the combination of workmen against their masters. The evidence of M. Renoux went to establish an *alibi* in favour of the prisoner Berryer Fontaine, by stating that, at the time of the combination, he made him a visit at St. Germain, on his return from Mont St. Michel, where he had been to see a person confined in that fortress.

After a trial which lasted several days, and hearing the arguments of counsel on behalf of the prisoners, the jury retired, and, after a deliberation which lasted two hours, returned a verdict of *guilty* against Lebon, Mathé, Lemonnier, Vignerte, Dufaire, Ephraim Pérard, Allard, and Pasquier Labruyère, and acquitted Berryer Fontaine, whose *alibi* was established, and the rest. The Court sentenced Lebon, Mathé, and Lemonnier, to imprisonment for three years, Dufaire for six months, and Ephraim Pérard, Allard, and Pasquier Labruyère for two months.

30. KING'S COLLEGE.—LONDON.—The Annual Court of Governors and Proprietors of the above College was held in the

amphitheatre of that institution, for the purpose of receiving the report of the council for the past year, the election of officers, &c. The report stated that, at the close of the last year, the council had expressed their anxiety respecting the completion of the river front, and some doubt existed as to whether they might be enabled to complete it, in consequence of the defalcation of some of the proprietors to the amount of 18,000*l.*; but a meeting had been called, at which it was agreed to make an appeal to the friends of the institution, and the consequence was, that, in advances of ten per cent on the shares, and in subscriptions and donations, a sum of 7,297*l.* 17*s.* had been received. Of the number of students who had entered during the year there had been, in the senior department, 104 regular, and 171 occasional students; in the medical class, sixty-six regular and 175 occasional students; and in the junior department, 404 students. The medical department was never more prosperous than at the present time; a class of associates had been instituted; and in effect the College had never been so prosperous as it was in the present year. Two additional schools had been added, so that there were now seven schools in the metropolis acting in union with the College. A donation of 2,000*l.* had been received from Major-General Sir Henry Worsley, for the purpose of educating at the College one or more missionaries to be sent to India for the promotion of Christian knowledge. Lord Bexley had also presented the College with eleven shares of 100*l.* each, as a free gift, and Mrs. Sophia Bexley one share of 100*l.*, the privileges attached to which

were to be executed by the authorities. The receipts of the College for the past year had been rather more than sufficient to pay its expenses, and a surplus was expected at the close of the present year.

The amount of receipts	
for the year was	£16,197 11 6
The expenditure	12,446 14 5

Leaving a balance of ..	3,750 17 1
-------------------------	------------

Besides 4,000*l.* in Exchequer Bills.

MAY.

1. ACCIDENT AT JERUSALEM IN THE CHURCH OF THE SEPULCHRE.—From 15,000 to 20,000 pilgrims were assembled this year at the fête. Hundreds of them slept in the church the night before that on which the holy fire appears, and during the day thousands were wedged together within its walls: the aged and the young, men, women, and children, standing for hours without sustenance, and inhaling a contaminated and glowing atmosphere: at length moans were heard in different parts, and a heaving and excitement was observed, till, when the flame appeared, the whole mass made a simultaneous movement towards the holy sepulchre. Thousands of torches were instantly illuminated, the air became rarified, and nature exhausted, gave way; numbers fainted, were borne along, fell, and were trod upon. The screams and excitement caused those near the door to seek their escape. Their example gave a panic to the whole mass, and a scene of death and disorder ensued beyond description. Ibrahim Pacha, who had descended to the body of the church, was borne out by overwhelming force in the arms of some men, exhausted and nearly

overcome. All consideration for the prostrate and suffering was lost in the sense of self-preservation: the young, the aged, women, the fainting and the fallen, were trod under foot by the multitude. Many lives were lost.

9. COURT OF CHANCERY.—APPLICATION FOR A WRIT OF PROHIBITION TO A COURT MARTIAL.—Mr. Price applied to the Lord Chancellor for a writ of prohibition to stay proceedings in a court-martial held at Chatham, in August last, on Mr. John Waller Poe, a lieutenant in a foot regiment, and to revoke the sentence which had been pronounced. The facts, as stated in an affidavit of Mr. Poe, appeared to be, that being on his voyage from India to England, having leave of absence from his regiment, he was accused by a man of the name of Ross, his servant, of having stolen from him some articles of small value; that no inquiry was made into the truth of the charge, which the affidavit stated to be utterly without foundation; but that, upon the mere accusation, the captain of the vessel, in which Mr. Poe was a passenger, and the other passengers there, forbade him the mess, and refused to associate with him. Mr. Poe arrived in England, and a period of sixteen months elapsed before anything was done; when he was brought to trial before a court-martial, the charge against him being, that he had taken no steps to vindicate his reputation and honour from the charge which had been brought against him, and that he had, therefore, acted in a manner unbecoming an officer. Mr. Price said, he attended that court-martial as counsel for Mr. Poe, and he submitted to the court that they had no jurisdiction to try him upon

such a charge, their authority being derived from the Articles of War, and the Mutiny Act, neither of which contained any provision for such an offence as that he was charged with; for he denied that, by not taking any such steps he had done anything subversive of good order or military discipline. Moreover, he had asked the officers who attended as witnesses on the trial, what Mr. Poe could have done to vindicate his honour or reputation, and none of them could tell him. The court, however, found him guilty; and he had been subsequently cashiered and dismissed the army by his majesty. It was, therefore, insisted, now, that the Chancellor had the power, by directing the writ which was moved for, to give Mr. Poe an opportunity of showing that the sentence against him was as unjust as it was severe. He had been grievously punished for a supposed offence, that offence being that he had not taken such steps as he might have taken to remove the imputation which had been cast upon him. He could have done no more than he did. The man, who brought the charge, immediately on his arrival in England, went on board another ship, where he died.

The Lord Chancellor suggested he might have brought an action against the persons on board the ship who had repeated the slander.

Mr. Price submitted that it was not incumbent on him to do so; and that he had not done so did not appear to be the reason which had influenced the finding of the court-martial. He submitted that the Lord Chancellor had authority to grant the writ, and that under the circumstances of the case, it ought to issue.

The Lord Chancellor said, he had no doubt that no case had been suggested, which would justify the Court in interfering in the way prayed. The charge, upon which Mr. Poe was tried, was, that under the disgraceful and degrading circumstances of the accusation, and what had ensued upon it, he had taken no steps to vindicate his reputation; and that this was calculated to prejudice good order and military discipline. The Articles of War clearly gave courts-martial the right to try such an offence. It was by no means clear that Mr. Poe had done all that he might have done to vindicate his reputation; he might have brought an action, in which he would have succeeded, unless the defendant established that the accusation was true. His Lordship was not at liberty to infer, that the neglect to do this had not formed one ingredient in the judgment of the court-martial. That the servant who first made the accusation was dead, had been stated at the bar, but did not appear in the affidavit. There were three points to be considered:—first,—Would a prohibition lie in any case from this Court in such circumstances as were here stated? Secondly, — Would it lie to a court-martial? Thirdly, — If it would, was there here such a case of excess of jurisdiction as justified its issuing? Assuming the two first, for which no sufficient authority had been cited, how could it be said that there had been any excess of jurisdiction? The court had ceased to exist; its office was at an end; its sentence had been pronounced, and the King had confirmed it.—The motion was refused.

12. A most daring and extraordinary outrage was committed

on the person of Mr. Gee, a respectable solicitor, residing at Bishop's Stortford. In consequence of having received a letter from a person signing himself W. Heath, relative to the disposal of some property, he agreed to meet him at the Bull Inn, Aldgate. On his arrival there, a letter was delivered to him, assigning an excuse for Mr. Heath's absence, and requesting Mr. Gee's presence at a house in York-street, in the Commercial-road. The person who had brought the letter said, that he had a coach in waiting; and Mr. Gee not suspecting any harm, got into it, and was driven to the house No. 27, York-street West, Commercial-road. On getting out of the coach, and entering the house, he was met in the passage by a man who, addressing him, said, that his brother was then at breakfast in the kitchen, and hoped he would have no objection to go there to him, as he wished particularly to see and speak with him. By this time the door was closed, and the coach discharged; and as he was about to descend the stairs leading to the kitchen, he was laid hold of by the person who delivered him the letter at the Bull Inn, the man who asked him to go to the kitchen, and a third person; all of whom assisted in dragging him down into a back kitchen, and thence into a kind of den, where they placed him sitting on a seat, and not only chained him from behind, but fastened his feet tightly to the flooring by means of very strong cords, so that he could scarcely move his person, hands or feet. Having accomplished this, one of the party represented himself as the brother of his client, Mrs. Canning, and told him that he should not be released from his

situation until he gave a check on his banker for the payment of the 800*l.* of her money, which he had still in his hands, and also an order for the delivery of the deeds of the property on which a sum of 1,200*l.* had been lent out. In vain did he remonstrate with them on the illegality and impropriety of their proceedings, and entreat them to release him. The parties remarked, that they were perfectly aware that they were not acting in accordance with the law; but that was *their law*, and released he should not be, until he had given the check and order they required, and until the cash was got for the one, and the deeds for the other. They were then about to leave him, when he complied with their request; and a pen, ink, and paper, being brought him, he wrote and gave them a check on his bankers, the Messrs. Gibsons, of Saffron Walden, for 800*l.* and a letter to Mr. Bell, a gentleman residing near Stortford, who is one of the executors of the late Mr. Canning, for the delivery of the deeds. After he had done this, one of the parties instantly left the house, for the purpose, no doubt, of either getting the check cashed at the agents of the banking-house in town, or proceeding with it and the letter to the country.

After Mr. Gee had written and signed the documents alluded to, he felt exceedingly faint, and requested that one of the parties would get him a bottle of soda water. This, however, they refused doing, but held a pot with some beer in it to his lips, and he drank a little. They then left him, and after being in the situation above described for nearly three hours, he, by a powerful exertion, and a violent compression of his body, fortunately

managed to shift the iron chain which passed across his chest, and bound tight his arms, a little upwards, and ultimately to work his head and body out of it. He was then enabled to untie the cords which bound his feet to the flooring, and being thus free, he rushed out of the back door, and after clambering over several garden walls, succeeded in reaching the public street. At the time he thus effected his escape, two of the men were in the front parlour at dinner, and he did not perceive that they followed him.

Mr. Gee had been to the agent of the bank, and had ascertained that the check had not been presented there, and he would take care to have its payment at Saffron Walden stopped.

Mr. Walker, the magistrate, gave directions to Mr. Miller, the principal officer, to use immediate exertions to apprehend the parties. Mr. Miller at once dispatched the officers, Lea and Shelswell, with Mr. Gee, to York-street. On their arrival there, they found the house closed, both back and front, so that they were obliged to force an entry. It was quite divested of furniture, with the exception of a few chairs in the parlour. On going into the back kitchen, they discovered a place of about five feet by three, partitioned off with boards of immense strength, with a seat, and about a foot from the seat was a strong piece of timber, extending from side to side, and in the centre was a large and heavy piece of chain, made fast at one side by a strong swivel, and at the other by a large bolt and padlock. There was also made fast to the floor, at the bottom of the seat, a strong bar of wood through two swivels, in which two long pieces

of sash line passed for fastening the feet. Immediately after Mr. Gee had made his escape, two men were seen to come out of the back door, into a neighbouring garden; and, on being asked what was the matter, they said they were in pursuit of a thief, who had made his escape. They were also seen to leave the house immediately afterwards.

Mr. Wych, the landlord of the house, stated that on Friday last a man of about thirty years of age, and partially, if not wholly, blind, who said his name was James Edwards, and represented himself to be a professor and teacher of music, took the house, and on Saturday he delivered him the key. He had first given a reference to Mr. Hill, a baker, near the West-India Docks, who, on being called on, represented him as a respectable man and a teacher of music, adding, that he had taught several members of his own family. With respect to the other two men, it was afterwards ascertained that they were persons of the name of Lacasseine and Weedon.

All three were seized; and on the 7th of July, were tried at the Old Bailey. The first count of the indictment charged the prisoners with having, on the 12th of May, feloniously demanded from William Gee a certain security for 1,200*l.* and interest due thereon. In another count the prisoners were charged with feloniously demanding certain other securities, for the sum of 1,200*l.*; and in a third count with feloniously demanding a security for the sum of 800*l.*, with intent to steal it.

All the prisoners pleaded "Not Guilty."

A long argument took place upon the question, whether an

indictment under the act of 7 and 8 George IV., c. 29, sec. 6, could be sustained in a case where the person had not the property about him. Mr. Gee not having had the sum of 800*l.* about him, it was argued that the indictment could not be sustained.

Mr. Adolphus, for the prosecution, contended, that it was not at all necessary that the money should have been on the person of Mr. Gee; the question was, whether the prisoners, by menaces and threats, intended to procure the money from him; and whether this was not an assault with intent to rob him of the amount in question.

The judge considered it necessary to stop the case, on the objection, the indictment stating that the prisoners, by threats, &c., intended to take "from the person" of Mr. Gee; and Mr. Gee not having the amount of 800*l.* upon him, Mr. Justice Patteson, told the jury that they could not find the prisoners guilty under this indictment; and they, therefore, returned a verdict of acquittal.

The prisoners were then indicted for demanding from Mr. Gee, with threats and menaces,, a legal security for the sum of 1,200*l.*, and an order for 800*l.*, upon Mr. William Gibson, the banker, at Saffron Walden.

Mr. Justice Patteson held, that as Mr. Gee never had the possession of the paper giving up the securities, and as there could be no robbery where there was no possession, the indictment could not be sustained. A man could not be said to be robbed of property which, in fact, was not his.

Mr. Justice Bosanquet concurred with his learned brother, that, as Mr. Gee was never in possession of

the notes, and as the paper on which they were written did not belong to him, the indictment must fail. There was a difference between procuring money by duress and procuring it by stealing.

The learned judge then told the jury, that as the indictment could not be sustained, the prisoners must be acquitted.

A verdict of Acquittal was, therefore, returned.

16. EXTRAORDINARY AND MYSTERIOUS OUTRAGE.—At Queen-square, W. Ayler, of No. 85, Margaret-street, Cavendish-Square; W. Wheatley, of No. 9, Charles-street, Lambeth; and John Tice, a hackney-coachman, were brought up in custody, and placed at the bar, before Messrs. White and Gregorie, charged with the following extraordinary and mysterious outrage on the person of Charles Norris, of 19, Hanway-yard, Oxford-street, cabinet-maker.

The complainant, a very respectable-looking young man, stated, that on the previous evening he went into the parlour of the Gun Tavern, near Buckingham-gate, Pimlico, and had some refreshment; while there Ayler and Wheatley came in with another man, who wore a cap, and had mustachios; the latter said, "That is him, lay hold of him and drag him out." The two prisoners seized him, and forced him out of the parlour into the street. A hackney-coach was at the door, and the prisoner Tice was there with the door open and the steps down. Wheatley held him fast by the collar, while Ayler pushed him into the coach; the other man with mustachios, who appeared to give directions, ran away. Witness called out to the coachman to stop, and insisted upon knowing where

F 2

he was going to, when Ayler called out, "D—n your eyes, drive on, I'll pay you." The case which had lately occurred at Lambeth-street of Mr. Gee's entrapment, which he had read in the newspapers, then came over his mind, and he called out "murder." Wheatley put his hands over witness's mouth, to prevent his calling out, and, in the scuffle which ensued amongst them, he got the window down, and his head out of the coach, and called out "murder." A number of persons heard him, and exclaimed, "They are taking a person to a madhouse." He, however, saw a policeman, and called to him, who desired the coachman to stop; but he said, "It's all right," and drove on: the constable stopped the coach at last, and asked where they were going to, when the prisoners said that they were going to take him to the nearest station-house. The coachman said that he had been employed by a man with mustachios, and he was ordered to drive to the White Hart, near Battersea-bridge. Witness saw the man with mustachios in a cab behind the coach, who, seeing that he was resolute in going with the police, got out of the cab and ran away. Several other constables came up, and the prisoners said that they had a charge of felony against him, and they all went to the station-house together. The prisoners were asked at the station-house what charge they had to make against him, and they said none whatever; he then gave them into custody. Both Ayler and Wheatley said that they were employed by the man who wore mustachios. In answer to several questions, the prosecutor said that he knew nothing of the prisoners;

they were quite strangers to him. His father had been a publican. He went to the Gun Tavern to meet his father, but he was not there. Several witnesses confirmed the above evidence as to the cries of "murder," and stopping the coach.—Police constable Clarke stated, that he stopped the coach, and Ayler and Wheatley said, that they had a charge of felony against the prosecutor. He asked them if they were officers, and they replied in the negative. The complainant said that he was willing to go anywhere with the police, so that his life might be spared. The prisoners were unwilling to let him go, but he got assistance, and took them all to the station-house.

The prosecutor was recalled, and said that Ayler whispered something to the coachman, when he drove off, and Wheatley said, "D—n your eyes, I'll knock your brains out with this stick, if you do not hold your tongue."

Mr White: And you are positive that you know nothing of these men?—I never saw them before, to my knowledge.

Mr. White directed that Wheatley and Tice should be taken into the outer office, and Ayler was then asked what he had got to say in explanation of the outrage.

Ayler said, that he had formerly kept a billiard table at Windsor, but had been out of employment some time. He knew nothing of Wheatley until last Tuesday, when he was employed by a gentleman who wore mustachios, to watch the complainant and his father. This gentleman had lodged with the complainant's father, and his portmanteau had been broken open by complainant, and 500*l.* taken out in bank-notes and sovereigns. The complainant had not

been to his father's for the last fortnight. His employer wanted to get hold of him to recover back his money. Mr. White: Some gambling transaction, I suppose?—O no, nothing of the kind. Mr. White: And what is the gentleman's name who employed you on this business?—I really do not know his name. Mr. White: Pray where does he live?—That I do not know. Mr. White: What sort of a man is he?—He appeared to be about thirty-four years of age, and wears mustachios. When we went to the Gun Tavern no violence was used to the complainant; but in the coach the complainant drew out a knife, and he (Ayler) said, "You scoundrel, what do you mean to do with that?" He then wrenched it from him, and threw it out of the window. He then accused them of intending to murder him, which there was not the slightest intention of doing. Mr. White: But what became of the gentleman who employed you?—I don't know; I thought he had got on the box with the coachman. Mr. White: What was your employer's object in getting the young man away in such a manner?—I believe to sift him, and see whether he would give up the money. Mr. White said it was most extraordinary that he should undertake such an employment from a person he did not know. Ayler said that it might appear so, but he could not deny it. Wheatley was then called in, and, in answer to a question, said, that he had lived about three months in Charles-street; he was a stationer. Mr. White: Where did you live before?—At Shoreditch. Mr. White: Whereabouts at Shoreditch?—I don't know the name of the street. Mr. White: Not know the name

of the street you lived in?—I have quite forgotten it. Mr. White: That is rather singular.—I must decline answering any further questions. Mr. White: Oh, certainly, answer no questions without you please.—I have particular reasons for so doing; there is something at the bottom of this business you are not aware of. Mr. White: That is, you decline answering any questions, fearful of committing yourself?—Not at all; I have my reasons, and I will answer none. Tice, the coachman, was next called in, and stated that the gentleman with mustachios hired him to take up at the Gun Tavern, at Pimlico, and the prisoner Ayler ordered him to drive to the White Hart, at Battersea. He thought that they were officers, and had got a writ against the complainant. He was very unwilling to get into the coach, and that was all he knew about it.—Mr. Norris, the father of the complainant, was called, and stated that he knew nothing of the prisoners. He had been out of town a length of time, and only returned on last Sunday month. His son had been out of work for some time; and about a fortnight ago they had a little altercation, and he told his son that he would rather he should go for a soldier than loiter about as he did; at which he took offence, and went away. He had since written to his mother; things were to be made pleasant, and he was to come home again. Mr. White: Has there been any person lodging at your house that wore mustachios?—There was; I found him there when I returned from the country. I understood his name to be Williams; but my wife, who is in attendance, can tell you more about him. Mr. White: Did you ever

hear him complain of being robbed of any property?—I certainly did, to a heavy amount; but that was all I knew about it. Mr. White: Where is Williams now?—I don't know; he left his lodging a short time ago. Mrs. Norris, the mother of the complainant, was next called, and she stated that Williams took the lodging while her husband was in the country; he also boarded with them. She did not know who or what he was, but took him to be a captain of some vessel. Mr. White: In what part of the house did he lodge?—In the back attic. Mr. White: What did he pay you for his board and lodging?—eight shillings per week. Mr. White: Did you think him a person likely to have such a sum as 500*l.* about him?—Not at all. The magistrates having consulted together for some time, Mr. White said that he never heard of such an extraordinary and unpardonable outrage. He should commit all three for a conspiracy; and he should require each of them to find bail, themselves in 200*l.* each, and two good sureties in 100*l.* each, and also to give twenty-four hours' notice of bail. The prisoners were then removed. Previous to the case being called on, a sum of money was offered to the complainant to drop all proceedings, which he refused.

22. FUNERAL OF LA FAYETTE.—PARIS.—At a very early hour this morning, crowds of persons, anxious to witness the funeral of general Lafayette, began to assemble in the Fauxbourg St. Honoré, where the residence of the late general was situated. Several regiments of infantry, two of cavalry, some legions of the National Guards, and a strong party of municipal guards, arrived in

succession in the same quarter of the town, and stationed themselves in the order prescribed by the government programme. At nine o'clock the coffin, containing the remains of the deceased, was placed in a hearse, splendidly decorated with black velvet hangings, silver embroidery, and tricoloured flags, and drawn by four magnificent black horses. The procession then began to move with tolerable order and regularity, and repaired to the church of the Assumption, in the Rue St. Honoré, where the funeral service was read over the body. It then began to move again, and, turning up the Place Vendôme and the Rue de la Paix, proceeded along the Boulevards to the private cemetery of Piepus, where the mortal remains were deposited in the family vault, by the side of those of the marchioness de Lafayette. The whole extent of the Boulevards, and the windows which looked upon them, were thickly crowded with persons of both sexes, of all conditions and ages; and as the procession moved forward, the men joined, so that, by the time it reached its destination, may be fairly said to have consisted of at least 200,000 persons, including the military and the National Guards. The predominant feeling was evidently that of a respectful regard to the memory of the deceased, and never was there so great a crowd seen in Paris so orderly and peaceably disposed as on this occasion. Nevertheless, the government had thought proper, under a show of paying military honours to the deceased, to put on foot a great military force, and so to arrange its march in the procession as to place the crowds who attended it entirely under its control, and make

any irregular movement on the part of a single individual a matter of utter impossibility. Almost all the members of the Chambers of Peers and Deputies attended the procession. The string of carriages headed by those of the king and the royal family, was immense. There were no speeches delivered over the tomb, as the confined space and the regulations of the place in which it is situated (a private burying-ground) would not admit of any being made.

— **EARTHQUAKE.**—An earthquake happened at Santa Martha, and was continued in successive shocks through the three following days. The violence of the earthquake was so great as to destroy the principal buildings of the city. The first shock was the most severe, and lasted three-quarters of a minute. In the course of the four days, sixty distinct shocks were experienced. The earth cracked in fissures of six inches in width, and in some places water, hot and sulphurous, was ejected through the openings. No lives were lost, and few persons injured. The city was entirely deserted by the inhabitants. The first shock was sensibly felt at Rio Hache, and fears were entertained that Carthagená might have suffered severely from the convulsion.

27. **DECLARATION OF THE LAITY OF THE CHURCH OF ENGLAND.**—At a levee held on the 27th of May, the central committee in London, for promoting the adoption and circulation of the above declaration, presented the following address to his majesty: —“We, your majesty’s dutiful subjects, beg leave humbly to approach your majesty with the profoundest feelings of affection and

loyalty towards your majesty’s sacred person and throne, and, as lay-members of the church of England, to offer to your majesty the expression of our firm attachment to her pure faith and worship, and her apostolic form of government. We further find ourselves called upon, by the events which are daily passing around us, to declare our firm conviction, that the consecration of the state by the public maintenance of the Christian religion, is the first and paramount duty of a Christian king and people; and that the church established in these realms, by carrying its sacred and beneficial influences through all orders and degrees, and into every corner of the land, has for many ages been the great and distinguishing blessing of this country, and not less the means, under Divine Providence, of national prosperity than of individual piety. In the preservation, therefore, of this our national church in the integrity of her rights and privileges, and in her alliance with the state, we feel that we have an interest the most direct and real; and we accordingly avow our firm determination to do all that in us lies, in our several stations, to uphold, unimpaired in its security and efficiency, that establishment which we have received as the richest legacy of our forefathers, and desire to hand down as the best inheritance of our posterity. We avow these sentiments with the greater confidence, from a conviction that they are widely and deeply rooted in the hearts of your majesty’s subjects, a conviction confirmed by the fact that, independently of many other unquestionable demonstrations, the same declaration which we now humbly make, has been most ext

adopted throughout England and Wales, having already received actual signatures of upwards of 230,000 of your majesty's lay subjects, for the most part substantial householders and heads of families, and all of them persons of mature age. That your majesty may long continue to watch over and protect that church, of which your majesty and your royal predecessors have so long been the 'nursing fathers,' is the earnest prayer of your majesty's most dutiful and loyal subjects,

(Signed) BEXLEY, &c. &c."

Having thus conveyed to the foot of the throne the sentiments of those who had signed the declaration, the central committee proceeded to congratulate his grace the archbishop of Canterbury upon this demonstration of affection for the national church on the part of the laity, and to crave permission of his grace to deposit the proofs of this feeling in his grace's hands, with a view to the preservation of so invaluable a record among the archives of Lambeth.

His grace having been pleased to accede to the request of the committee, the copies of the declaration, with the original signatures, were deposited at Lambeth Palace.

24. ACCIDENT IN A COAL-PIT. —A fatal accident occurred at the Harley Mine, near Blackrod, belonging to Mr. Hollinshead of Liverpool. About half-past 4 o'clock, one of the pitmen named Winward was leaving the office, which was not far distant from the No. 1 pit, when he heard a loud explosion, and turning round, he observed smoke in the air, which apparently proceeded from the mouth of the No. 2 pit, distant about 280 yards from that of the No. 1 pit. He immediately, with four of the

others of the pit, descended the shaft of the No. 1 pit, and found a current of air in the pit, which they directed into its proper course by shutting certain doors. This occupied them nearly two hours to accomplish, and then having proceeded along the air-course about 220 yards up the pit they came to the bodies of three men, who were the only miners left in the pit. Two of them were lying close together, and the third about six yards off: all were dreadfully burnt and very black. Their names were Samuel Sherratt, aged 62, who was a night fireman in the pit, and lived at Adlington. Beside him was found a safety lamp, extinguished. John Farimond, aged 45, was a day fireman; and the third, William Pilkington, was a groom, and had the care of the horses employed in the pit. Four of the horses were found dead in the stables of the No. 2 pit, having been apparently suffocated, as they were not in the least burnt. The bodies of the men were brought out of the pit, and were conveyed to their own homes. An inquest was held on the bodies on Tuesday following, at Blackrod, before Mr. Rutte, coroner, when Winward gave an account of the accident and its probable cause, to the following effect:—About a fortnight before this occurrence the operation of blasting with gunpowder in order to loosen the masses of coal had had the effect of igniting a quantity of coal in the No. 2 pit, and a communication which existed between it and the No. 1 pit was in consequence shut off. The witness was of opinion (in which those who had descended with him agreed) that the three deceased, who had remained in the pit half an hour after the other men had

left it, had gone to this door and opened it, in order to let fresh air into the pit: but he could not say whether they had allowed too much foul air to escape at once, so that it had reached a furnace in No. 2 pit, about 800 yards distant, and thus caused the explosion, or whether one of the men had incautiously raised the protector of his safety-lamp. He stated that he did not know, nor was it safe to examine, whether the fire was extinguished. Since the accident, the men at the pit had been employed in filling the No. 2 pit with water, in order to put out the fire; but it would occupy them a week. The deceased and all the men had been cautioned not to let too much foul air escape at once from the place, and were told, if they found smoke in it, to close it up again immediately. The No. 1 pit was 243 yards deep, and the No. 2 pit, 216 yards deep, and the furnace was erected for the purpose of increasing the power of the air on account of the depth of the pit. Sherratt was known to be a particularly careful man, and he had a good knowledge with respect to the damp air in the pits. The jury, after a short consultation, returned a verdict of "Accidental death."

26. EXTRAORDINARY DELUSION. At the Thames Police-office, a middle-aged man, of gentlemanly appearance and deportment, applied to Mr. Coombe to solicit his advice under what he described to be very strange circumstances. The applicant, who conversed in the most rational manner, said that he left the West Indies about three years ago, and in that part of the world a custom prevailed among sailors which would scarcely be believed in England. The custom had been introduced on board

the ship in which he came home, and he had fallen a victim to the insidious designs of the sailors, who had selected him for the purpose of making him miserable for the remainder of his days. He had since remonstrated with the sailors on their conduct, but without any good effects; and it was with great reluctance that he now sought the aid of the magistrate. Mr. Coombe begged of the gentleman to come to the point, and let him know of what it was he complained. The applicant said that he was afraid his veracity would be doubted, as the custom of which he had to complain was unknown here. It was the custom to obtain possession of a person's breath, and make him miserable during the remainder of his days. Three sailors belonging to the ship had got hold of his breath, and left him without any in his body. The consequence was that he had been a very great sufferer, and he wished the magistrate to bring the parties to justice. Mr. Coombe asked the applicant if he knew the name of the ship to which the sailors belonged?

The applicant—Yes, sir; I was a passenger in the 'Tropic,' captain Anderson, and my breath has been taken away ever since August, 1831. I have been very particular as to dates, for I told the sailors, when they got possession of my breath, that I should make their conduct the subject of a criminal prosecution. The misery that has been entailed on persons who have lost their breath is incalculable. My prospects have been materially injured by it, and it is impossible for me to prosper unless I recover my health.

Do you know where the sailors are?—They are now about Shadwell Dock.

Can you tell me where to find them? — I don't exactly know where to find them, but I can give you a description of their persons. I left the same description at the King - David - lane station - house (in Shadwell), but the police have taken no pains to look after them.

Mr. Coombe, after putting a great many other questions to the applicant, which he answered in a very collected manner, said, he would direct the officers to look after the sailors.

Applicant—I thank you, sir. I beg leave to state that I underwent a great persecution in the West Indies from Obi, which compelled me to leave the island before my affairs were settled. The practice of persecuting persons by Obi is prevalent in the West Indies, but unknown in this country, and you may not give credibility to the statement that I have been a martyr to Obi. Mr. Coombe—Very well, sir ; your case shall be attended to. Applicant—Where can you find those men who have got my breath? Mr. Coombe—I don't know, unless you give me that paper. Applicant—You shall have it, sir. He here handed it to the magistrate, and asked, when he should call again, for he found the loss of his breath a source of great inconvenience. Mr. Coombe—Oh, you may come again in a few days. The unfortunate gentleman then bowed and withdrew, and by direction of Mr. Evans, the principal Surveyor of Thames Police, a waterman was directed to follow him and ascertain where he lived. Mr. Coombe said it was evident the unfortunate gentleman was afflicted with insanity, and he trusted that his friends would be made acquainted with the extraordinary delusion under which he

laboured. It is somewhat singular that a black man, named Pierre, was last week delivered into the custody of Mr. Evans by the captain of a West Indiaman, to be conveyed to the hulks under a sentence of transportation for twenty-eight years by the authorities of the island of Grenada, where he had been convicted of the crime of “Obi-ism,” and pretending, by means of certain charms, to obtain possession of the breath of others. Pierre, who was a very ugly, ferocious-looking cripple, had carried on his delusions with the ignorant and superstitious people of the island for many years.

JUNE.

5. FESTIVITIES ON THE OCCASION OF THE MARRIAGE OF THE SULTAN'S DAUGHTER. — CONSTANTINOPLE.—Great festivities took place on the occasion of the marriage of Salihe Sultana, the sultan's daughter, to Halil Pacha. Nothing was spared during the fifteen days consecrated to their celebration that could add to the entertainment of the guests who, at the sultan's invitation, flocked to Constantinople from all parts of the empire to contribute to the amusement of the people. The rope-dancing, equestrian feats, fireworks, and illuminations, were very gratifying to the population of the capital. Lines of green tents for the troops covered the summits of the picturesque banks of the Bosphorus, and the tents of the grandees (some of great splendour) were pitched on the declivity behind the new palace of Beshik Tash. Pachas and mollahs dined in these open tents, while native musicians sang

to the accompaniments of their national instruments ballads recording the events of former days, or agile dancers moved to the lively sounds of castanets, the population standing in circles around them, or circulating freely about. At night the illuminations along the shores of the Bosphorus presented a line of light which extended with the windings of the canal from the waters at the extremity of the Golden Horn to Bujukdere, a distance of about eighteen miles. The illuminations of the seraglio point were equally brilliant and chaste, and, as you descended the Bosphorus, seemed to spread like a palace of light in the midst of darkness, not resting on the earth, but approached by the long avenue of the illuminated canal. Every night the seraglio presented a different figure in its centre and principle compartment—a ship, the imperial cipher, the sultan's ten-oared boat, an immense star, a passage from the Koran, an imitation of mosaic, &c. These changes were sometimes effected several times in the course of the evening. The Turkish mode of illumination is as follows:—A frame, from twenty to forty feet high, is erected in front of the building to be illuminated; on the transverse beam small pulleys are adjusted, through which lines are passed, to which the lamps are made fast at the proper distances, so as to admit of being raised or lowered with the greatest ease, according to the outline of the figure or sentence to be formed. These lines resemble the warp of a web. Great extent can thus be given to the illumination at little cost. The rapidity, with which one figure is transformed into

another, is surprising; in order to facilitate the metamorphosis every line has marks, indicating the height to which it is to be raised, according to the exhibition intended. Every eminence can be taken advantage of—chimnies, minarets, trees, steeples—and there is great room for the display of taste in the selection and variety of the figures. Though to the eye of an European the fireworks appeared but poor specimens of pyrotechny, yet the originality of several of the exhibitions could not but agreeably excite his surprise. Among other things, a shark, forty feet in length, swam on the surface of the Bosphorus, and, whilst pursuing smaller fishes, poured from its gaping mouth, eyes, and nostrils, torrents of liquid fire. A sudden explosion metamorphosed it into a boat, adorned on all sides with blue lights.

The bride is said to be disfigured by the small-pox, and to have strongly-marked features, with grey eyes, and an almost total deficiency of eyebrows; her stature is below the average, and her age is twenty-two, which, for the precocious clime of Turkey, is considered as somewhat *passée*; she is passionate, capricious, of a haughty, reserved, and selfish disposition—a complete shrew, not admitting of being tamed. When the carriage which brought her from her father's palace to her future residence stopped before the gate, Halil Pacha presented himself to hand her out. In vain did he embrace her feet, in vain did he address her in oriental metaphors, and kneel before her, use the most impassionate language, and the tenderest and most pressing invitations. He could not even prevail

upon her to cast a look towards him. Exposed to the rays of a scorching sun, he remained more than half an hour in this humble attitude, till strength and language almost failing him, he repeatedly cried out with a fainting voice, "Alas, my sovereign, wilt thou not take pity on thy slave!" Even the eunuch, who accompanied her, was moved to compassion: he united his entreaties to the pacha's tears, but equally to no purpose. It is difficult to say how long this scene might have been prolonged, had not the sultan arrived in person. With an imperious nod she ordered Halil Pacha to rise from the ground, where he lay prostrate, and was led by him to the gates of the harem. He then withdrew to the selamlik, or men's apartments, there to wait her further orders. The six cadinnes or wives of the sultan, the odalisks, and the numerous female retinue of the imperial harem, the sultan's three sisters, and her own two brothers and sisters, who had accompanied her, mounted then to her apartment, and welcomed her according to the eastern ceremony. The first hanims, or wives of the grandees of the empire, and those of the pachas, were immediately after introduced into her presence, and permitted to kiss her foot. During the performance of this ceremony the sultana, it was observed, not only did not address a single word to any of these ladies, but did not even condescend to look at them, keeping her head constantly averted to one side. It was then announced to them, that, to confer upon them an additional mark of favour, the sultan had graciously ordered that they, as wives of his faithful servants, should be

permitted to perform obeisance before the mother of the bride. Ushered into another apartment, they were, according to their rank, led before a door guarded by the chief eunuchs, at the bottom of which appeared the hem of her robes. Kneeling on the ground they reverently approached, raised it to their lips and forehead, and withdrew. The liberty which the sultan granted them of thus accompanying his daughter is considered by the Turks as an unprecedented event in the annals of the seraglio. After welcoming his daughter to her new palace and giving her his blessing, the sultan withdrew to an apartment, where, to their infinite surprise, the ladies invited to the harem were ushered in and allowed the honour of embracing his highness's feet. A ring and a shawl was, on their leaving the room, given to each of them in the sultan's name. Shortly after the hour for performing the evening prayer, a loud clapping of hands re-echoed during several minutes throughout the harem, interrupted now and then by the shrill voices of twenty eunuchs, ordering every lady to withdraw to her apartment, for the bridegroom was about to pass. The sheik Islam and the most distinguished ulemas and imaums accompanied him to the gate of the harem, and after repeating a long prayer, to which those present said "Amen," pushed the pacha with force into the apartment of the women, and, shutting the door with violence, locked him in.

9. INQUEST ON THE BODY OF SIR WILLIAM COSWAY.—A jury assembled for the purpose of holding an inquest on the body of sir William Cosway, who was killed

on Saturday last, in consequence of the overturning of the Criterion Brighton coach.

William Jones, a paper-stainer, of Spencer-row, stated, that, on Saturday last, about four o'clock, he was passing Stones'-end, in the Borough, when he observed a stage-coach coming along at a rapid rate from the direction of London-bridge. The coachman was on the box with the reins in his hands, and he was endeavouring to check the speed of his horses. At that time there was a gentleman sitting on the box by the coachman's side, two other gentlemen behind them, and a lady in the dickey. Shortly afterwards witness observed that the pole of the coach was broken, and striking against the hind legs of the off-wheel horse, which made him kick tremendously. At this moment some persons ran towards the heads of the horses, with a view to stop them, but the coachman desired them for God's sake to keep off, adding, at the same time, that they would stop of themselves before they reached the Elephant and Castle. The persons alluded to, notwithstanding the entreaty of the coachman, still endeavoured to seize the reins, and, in doing this, frightened the horses the more, and the vehicle had not proceeded much further when the witness saw it overturn, and the passengers and coachman thrown off. The witness, upon seeing the accident, immediately ran to the assistance of a gentleman who was lying on the road with his thigh broken, while other persons hastened to the assistance of sir William Cosway, who was carried into the house of Mr. Lever, nearly opposite to that part of the road where the accident happened.

Robert Smith saw the coach overturn. Sir William Cosway was thrown in a slanting direction, and the side of his head first struck the ground.

Mr. James Stringer, surgeon, was passing up the Borough when he saw the Criterion coach, and the broken part of the pole striking against the horses, which were exceedingly restive. Saw a man dressed like an hostler lay hold of the off-wheel horse by the reins, which he held on by until he was compelled to let go to save himself, and immediately afterwards the coach overturned, and the outside passengers were thrown off. Witness had sir William Cosway conveyed into the house of Mr. Lever, who being absent at the time, he (witness) remained with the deceased until he expired, which event took place in about an hour and a half afterwards.

In reply to questions by the jury, Mr. Stringer said, that the coachman appeared to him to have done everything in his power to avert the accident. He did not observe the deceased in the act of getting over the roof of the coach before it overturned. Saw a lady in the dickey, who was not seriously injured.

George Halden deposed, that he was near St. Saviour's church on Saturday, and saw the Criterion coach going at a steady pace, and in proceeding, the wheel of a dray came in contact with the off fore wheel of the coach. At the moment witness heard a crack as if something broke, but the coach proceeded on, and witness lost sight of it.

John Childers, a porter in the service of Mr. Alexander, the proprietor of the coach, was examined

at great length; and he stated, that he was in the dicky when the dray ran against the Criterion, but could not state whether the pole was broken by the concussion. When the coach arrived at St. George's church the horses began to kick, and the coachman desired him to get out at the back and hold on at the rail of the dicky to lessen the speed of the horses. Just before he called to him he was compelled to pull up, as a gentleman on horseback ran against the leaders, and would have, in all probability, been killed, had it not been done. Witness now tried to skid the wheels, but failed in the attempt; and the horses becoming unmanageable owing to the broken pole striking their legs, the vehicle overturned.

The witness said, that he was of opinion the pole was broken when the coachman pulled up suddenly to prevent his going over the gentleman on horseback.

Mr. Alexander explained, that sir William Cosway was in the act of climbing over the roof when the coach overturned.

Verdict, "Accidental Death."

INSTALLATION OF THE DUKE OF WELLINGTON AS CHANCELLOR OF OXFORD.—About four o'clock on Monday, the 9th of June, the duke of Wellington entered Oxford, and alighted at the gate of University College, of which the vice chancellor is the master. His royal highness the duke of Cumberland had arrived about an hour before his grace, and taken up his abode with the reverend Mr. Jelf, canon of Christ church. On Tuesday, about eleven o'clock, the duke of Wellington, in his robes of office, and accompanied by the heads of the several houses, proceeded up the High-street, and by

St. Mary's church to the theatre. Three cheers for the duke, and another for the chancellor of the University, were given by the under-graduates and bachelors of arts who had filled the upper galleries. The names of other private as well as public men were, at intervals, bawled out by the under-graduates, and served as intelligible signals for the expression of respect on the one hand, or of dislike on the other. Dr. Gaisford, the dean of Christ church, and Mr. Dyer, the proctor, were most particularly hissed; the names of the lord chancellor and earl Grey were received with marked disapprobation. There was tremendous applause on any allusion being made to the bishops; and the presence of the duke of Cumberland, lord Wynford, and lord Lyndhurst, was hailed by repeated cheers.

Soon after eleven o'clock the duke of Wellington, wearing a mantle of black silk and gold fringe, as chancellor of Oxford, entered the theatre. In his train followed the marquis of Londonderry, lord Montague, lord Apsley, lord Hill, lord Mahon, sir George Murray, sir Henry Hardinge, sir S. Ackland, sir Robert Inglis, and sir Charles Wetherell. There were present likewise, eleven members of the episcopal bench. Among the ladies were to be seen the princess Lieven, the marchioness of Salisbury, and the countesses of Clanwilliam and Brownlow.

The cheering having subsided, the duke of Wellington as chancellor opened the convocation by stating, that it had been convened for the purpose of conferring the degree of doctor of laws on several distinguished individuals, viz., Baron Dedel, the Dutch minister,

the count Matuszewitch, the late Russian minister, the duke of Buccleuch, the duke of Newcastle, the marquis of Salisbury, the marquis of Bute, the earl of Winchilsea, the earl of Warwick, the earl de la Warr, the earl of Rosslyn, the earl of Wilton, earl Brownlow, the earl of Falmouth, the right hon. Fitzroy Somerset, the right hon. Granville Somerset, the right hon. Francis Egerton, viscount Strangford, lord Burghersh. Then followed the names of three *virī spectatissimi*—Sir J. Vaughan, sir J. A. Park, and sir J. Scarlett; who were, immediately on the termination of the ceremony, presented to the chancellor and proctors by Dr. Phillimore, professor of civil law. In the eulogium, with which he introduced them, he said, “that twenty years had elapsed since he had the honour of seeing in the University a similar assemblage of noble and distinguished individuals. On that occasion he had presented to the University, as honorary doctors, the illustrious heroes who had visited the country with the emperor of Russia and the king of Prussia. Intense as his delight was upon that occasion, it wanted one circumstance to render it complete—the presence of the greatest commander of them all, our own countryman, the duke of Wellington. After alluding to the merits of the late chancellor, lord Grenville, who had added lustre to the course of study adopted in the University, by pursuing the same course after he had left the University, and after stating that that noble lord had found consolation in extreme old age in those literary acquirements which had furnished him so many triumphs, and his country so many benefits in man-

hood, he proceeded to observe, that, on the death of that great and good man, it became the duty of the University to select out of the noble and distinguished individuals whom it had reared in its bosom a worthy successor to that noble lord. Merit, he said, was not of one class. There were different roads to the temple of fame, and different men must distinguish themselves in different ways. One man made his way to eminence by literature, another by arts, another by arms. Of this latter class none were more illustrious than the noble duke now their chancellor. Be witness his triumphs in India, Portugal, and Spain—his victories at Salamanca, on the Pyrenees, and at Toulouse—and above all, his liberation of Europe in the bloody field of Waterloo. After dwelling for some time on these topics, and praising the firmness which his grace had always evinced in the management not only of military but of civil affairs, he concluded by affirming that the University had done itself the greatest honour by selecting the duke of Wellington as its chancellor.

The latin poem which had gained the chancellor's medal having been recited by its author, the convocation was dissolved by the chancellor amid the loud plaudits of the under-graduates. The duke returned to University College, and on the same evening was welcomed at the concert with the utmost enthusiasm on the part of the spectators.

Next morning his grace and the different noblemen and doctors, having robed in the old Clarendon printing-house, again proceeded to the theatre. The gallery was

occupied by the undergraduates ; who had no sooner obtained admission than they commenced cheering in honour of the queen. Mr. Dyer, the proctor, and Dr. Gaisford, dean of Christ Church, were again especial objects of disapprobation. "The University and her privileges," "the University of Cambridge and her liberties," were sentiments which called forth prodigious cheering ; while the "London University and her want of privileges" met with every possible expression of contempt. "The Gower-street Company" was received with a burst of laughter. "Church and State" was the watchword for another round of enthusiastic applause. Then came the cry of "Tories and honest men," and after that "Our noble selves." This occasioned as much laughter as cheering. "The Bishops," elicited thunders of applause. "The admission of Dissenters" was received with a cry of scorn—"non-admission of Dissenters" with loud cheering. Mr. Sewell's was then called out, and was received with great applause. "The Dissenters" was then called out : this was followed by a long-protracted snuffle, and an ejaculation of "Amen" from several voices in imitation of the nasal twang of the conventicle. "The Irish Church Bill," and "the Irish Church Commission," were followed by loud symptoms of dislike and aversion. "The King's Ministers" were hissed as heartily as the bitterest Tory could desire : so, too, were the names of earl Grey, lord Brougham, lord Durham, and the duke of Sussex. An undergraduate called out in a stentorian voice, "Down with the present Administration."

This sentiment was loudly applauded. "The Wellington Administration," and "The House of Lords," were received with a thundering cheer ; "The House of Commons," with a loud hiss ; "The House of Commons as it was," with a cheer. "Sir R. Peel and Catholic Emancipation" was hissed. "Sir R. Peel without Catholic Emancipation" met with loud cheers. To show sympathy with sir E. Sugden, and their want of it for Mr. S. Rice, they applauded the former, and hissed and laughed at the latter. Mr. O'Connell came in for especial marks of their dislike. Great cheering occurred when the names of sir J. Graham and Mr. Stanley were mentioned. Don Miguel and Don Pedro were both well hissed. "The army," and "the wooden walls of old England," were, as may naturally be supposed, well received. A voice called out "Our French allies." This was prodigiously hissed : but "Our French wines" was hailed most cordially. The memory of lord Nelson, the memory of lord Grenville, and the memory of Mr. Canning were welcomed with cheers ; but when the memory of Mr. Pitt was mentioned, every cap in the gallery, every hat in the area, and every voice in the theatre, joined in one universal huzza. The names of the duchess of Kent and the princess Victoria were also welcome to the assembled Oxonians. "Lord Lyndhurst" "lord Wynford," and "Mr. Goulburn," were in high favour ; and "The duke of Beaufort" was loudly cheered.

On the arrival of the duke, the cheering for "Wellington and Waterloo" was unbounded. The

earl of Eldon was very warmly greeted, and sat between the duke of Cumberland and the Chancellor, who read the list of those noblemen and gentlemen on whom honorary degrees were about to be conferred. Dr. Phillimore introduced them to the Chancellor, and in the course of his speech remarked, that, "illustrious as the individuals were, whom he had yesterday presented as candidates for the degree of doctor in civil law, the list of names, which he had that day to present, was equally distinguished; for it contained the names of men of high rank and ancient blood, of high civil and military attainments, and of the most irreproachable lives and characters. There was a circumstance that would make them delight the more in that list, which was, that the parties mentioned in it were most of them Cambridge-men. He would select as the first name deserving of his praise, that of John Singleton Copley, late lord high chancellor, and now chief baron of the Exchequer, who, imbued with the same discipline as their own in the sister University, had raised himself by his eloquence, his talents, and his general kind and courteous demeanour, not only to a place in all their hearts, but also to rank and honours, which scarcely conferred more distinction upon him than he reflected back again upon them. There was also present another ornament of the legal profession, who had now retired from the bench to enjoy, in the privacy of domestic life, that repose which he had so honourably deserved by a long life of public activity. There was likewise present one of the duke's companions in arms, whose

VOL. LXXVI.

coolness in danger and gallantry in battle were known to no man better than they were to the gallant Chancellor. As one of the liberators of Europe, he was entitled to every distinction which this University could confer upon him." After paying a similar compliment to lord A. Hill, who was also loudly cheered, the learned professor proceeded to declare the pleasure which he felt in having to present to the University as a doctor of civil law viscount Encombe, the only grandson of their old and venerated high steward, the earl of Eldon. After eulogizing other names, he concluded by reading the following list:—The earl of Clanwilliam, lord Norreys, M. P., lord Mahon, lord Encombe, lord A. Hill, lord Monson, lord Bagot, lord Rodney, lord Montagu, lord Teignmouth, lord Fitzgerald and Vesey, lord Lyndhurst, lord Wynford, lord Templemore, lord Stuart de Rothsay, sir Hussey Vivian, general Sabloncoff, hon. T. Parker, right hon. C. Arbuthnot, right hon. H. Pierrepont, right hon. H. Goulburn, M. P., hon. G. R. Trevor, M. P., hon. Mountstuart Elphinstone, hon. F. Spencer. Each of these distinguished individuals was presented to the Chancellor. When the turn came for performing the ceremony of presenting lord Encombe, every eye was fixed upon the earl of Eldon. The scene was most interesting. The old man was affected to tears, and hid his face from view. On lord Encombe's mounting the steps to the Doctor's seat, the Chancellor shook him by the hand, and immediately made way for him to pass to his exulting and gratified grandfather. Decided marks of applause were

G

bestowed on lord Lyndhurst, lord Wynford, and sir Hussey Vivian. Mr. Goulburn, one of the representatives for the University of Cambridge, met with an enthusiastic reception; so, too, did lord Stuart de Rothsay.

After the degrees had been conferred, the Installation Ode, written by the reverend John Keble, M.A., Fellow of Oriel College, was performed.

Mr. Robert Scott, B.A., student of Christ Church, recited his Chancellor's Latin Prize Essay, "*De Provinciarum Romanarum administrandarum ratione*;" and Mr. Joseph Arnould, scholar of Wadham, recited his English Poem, "*The Hospice of St. Bernard*," which was also a Chancellor's prize. An allusion to Waterloo, which occurred in this poem, called forth from all—men and women, young and old,—so loud and continuous a flow of plaudits coming from the heart, as for a short time suspended the proceedings of the day. Five addresses to the duke were then pronounced from the rostra; those by lord Maidstone of Christ Church, the eldest son of the Earl of Winchilsea, and Mr. J. Wickens, scholar of Baliol, were English Poems. There were two Latin Odes, in different metres, recited; one by lord Leveson, of Christ Church, and the other, by Mr. J. C. Pritchard, scholar of Trinity; and Mr. Alfred Lloyd, scholar of Wadham, recited a short set of Greek verses.

Between two and three o'clock, the Convocation was dissolved. At half-past four, the Miscellaneous Concert commenced, and the theatre was once more filled with company, of which one-half consisted of ladies.

In the Hall of Christ Church, nearly 400 persons, including the members of the society, sat down to a splendid dinner.

In the evening, the Chancellor went to a grand ball at the Star Hotel, where not more than 800 individuals, at furthest, could find anything like a convenient space for dancing or moving. Tickets had been issued for not fewer than eighteen hundred!

On Thursday there was no convocation holden. In the morning, the Anniversary Meeting of the Governors of the Radcliffe Infirmary took place in the Radcliffe Library, where the Chancellor, the Vice-chancellor, and the noblemen, the heads of houses, and other doctors assembled; and, about 11 o'clock, all went in grand procession to the church of St. Mary. The reverend Joseph West, M.A., one of the chaplains of New College, officiated in the reading-desk, and chaunted the service in a full, clear, and distinct voice. The bishop of Oxford delivered an excellent discourse for the benefit of the Radcliffe Infirmary. After the service was over, the duke of Wellington held a levee at the Clarendon rooms. In the afternoon there was another concert at the theatre.

A most splendid dinner was given to the Chancellor by St. John's College, where upwards of 160 sat down, Dr. Wynter, the president, being in the chair.

The procession of Friday was similar in its splendour to those of the days preceding, and went from the Clarendon. It was, however, increased by the new doctors of Wednesday. The following honorary degrees of D. C. L. were conferred:—Earl of Dartmouth, viscount Cole, lieut.-gen. sir Henry

Fane, G.C.B., sirs J. Osborne, bart., C. Morgan, bart., C. Knightley, bart., J. Dean Paul, bart., and A. Cooper, bart.; col. sir William Gomm, K.C.B.; sir C. Wetherell, king's counsel; W. F. Lowndes Stone, esq., high sheriff of Oxford, A. Baring, esq., M.P., J. Buller East, esq., E. T. Foley, esq., M.P., col. E. M. Conolly, M.P., C. Ross, esq., M.P., C. Yorke, esq., M.P., W. R. Cartwright, esq., M.P., T. Wood, esq., M.P., T. Duffield, esq., M.P., col. A. Percival, M.P., lieut.-col. T. Moody, B. Frere, esq., J. Fleming, esq., Evelyn J. Shirley, esq., Alex. Scott Murray, esq., W. Burge, esq., M.A., J. Gibson Lockhart, esq., B.C.L., J. Lewis Knight, esq., king's counsel, W. Stevens, esq., M.D., R. Jenkins, esq., D. Wilkie, esq., R.A., E. Blore, esq., F.S.A., architect.

Several gentlemen spoke from the rostra, and the whole concluded with the recitation of some verses, addressed to the Chancellor, written by Mr. John Graham, of Wadham College, which were highly applauded.

A splendid *déjeuné* was afterwards given in the library of All Souls' College, at which were present the Chancellor, the duke of Cumberland, and upwards of 300 of the nobility, ladies, heads of colleges, &c. The festivities were concluded with the third Concert of miscellaneous music, which commenced at half-past four.

Thus terminated the most magnificent and triumphant celebration ever witnessed in Oxford.

16. COURT OF KING'S BENCH.—*DEWAR V. PURDAY*.—This was an action by Mr. Dewar, director of music at the Theatre Royal, Edinburgh, against Mr. Purday,

a music publisher, in Holborn, for pirating the music of the song called "the Old English Gentleman."

An action against the defendant at the suit of Mr. Murray, the manager of the Edinburgh Theatre, for pirating the words of the same song, was tried the preceding week, when the jury being of opinion that the song, as regarded any right belonging to the plaintiff, was not such an original composition as to entitle him to call it his own, the words of a great portion of it having been composed many years ago, a verdict was found for the defendant.

The witnesses, who were first examined, proved that the plaintiff had handed over the MS. of the music to the original engravers; and the plaintiff's counsel then called, and examined at great length, sir George Smart, Mr. H. R. Bishop, Mr. Cramer, Mr. Attwood, Mr. T. Cooke, Mr. Wilson, and Mr. Moschelles, as to the originality of the song. The substance of their evidence was, that the plaintiff's composition was original. The cross-examination of the witnesses went to the point as to the similarity between the air of "the Old English Gentleman," and two airs, one by Cimarosa, in *Il Matrimonio Segreto*, and the other the Irish air of "the Last Rose of Summer," of which two airs the music of "the Old English Gentleman" was said to be a compound. In the course of the examination, the attorney-general proposed that Mr. T. Cooke should perform the three disputed airs on the violin, so that the jury might decide between them. That was objected to by sir James Scarlett, and the learned judge put his *veto* upon the proposed exhibition.

The defence was, that the plaintiff

had no right to the music, as part of the air was to be found in the duett of "*Se fiato in corpo avete*," and the remainder from "the Last Rose of Summer." The evidence of Mr. Carew (as given on the trial last week) was read from lord Denman's notes; and Mr. G. R. Rodwell, Mr. Rawlings, Mr. Dannelly, and others were examined, for the purpose of proving, that there was so great a similarity between the air alleged to be the plaintiff's and the two airs above-mentioned, as to deprive the former of all claim to originality. Dr. Carnaby was also called for the same purpose, and stated in addition, that he had heard his grandfather, fifty years ago, sing the same air to the same ballad of "a Brave Old Country Gentleman."

The principal witnesses for the plaintiff were recalled, and gave their opinions in contradiction to those of the defendant's witnesses, as to the supposed similarity between the several airs.

The jury retired to consider their verdict between five and six o'clock, and remained locked up all night.

On lord Denman's taking his seat the following morning, the jury came into court, and intimated to his lordship that eleven of them were agreed, and that the objection of the one jurymen who opposed them was, that there was not sufficient evidence of the plaintiff's copyright. Lord Denman then read to them the evidence of two of the witnesses, who had proved that the plaintiff handed over the music in his own manuscript to be engraved, and that the band of the Edinburgh Theatre had played the song from his (the plaintiff's) MS. The jury, after

conferring together for a short time, retired, and in about an hour they returned, stating that they were unable to agree. Lord Denman then said he should direct a nonsuit—a course which was not, perhaps, quite usual, but which, under the peculiar circumstances of the case, he thought he was warranted in adopting, considering that the evidence to prove the copyright was at least of a very doubtful nature.

A nonsuit was then entered. The attorney-general shortly afterwards came into court and addressed his lordship, submitting that the course he had taken was wholly unprecedented. The utmost limit of the jurisdiction of a judge under such circumstances was to discharge the jury, if both parties consented. He submitted that his lordship had no power in such a stage of the proceedings to direct a nonsuit. Lord Denman observed, that there could be no doubt that he had a right to direct a nonsuit, no one appearing on the part of the plaintiff. The matter was now decided and could not be opened again. The plaintiff might move to set aside the nonsuit if he chose. He (Lord Denman) was not sure that he ought not to have directed a nonsuit in an earlier stage of the cause. The attorney-general called his lordship's attention to the fact that the plaintiff would be compelled to pay the very heavy costs of the nonsuit, and, besides, have to wait until the next term before he could renew the proceedings. Lord Denman (with some warmth).—The matter is now decided, Mr. Attorney, and I shall hear no more on the subject.

18. **LANDING OF DON CARLOS.—PORTSMOUTH.**—At six o'clock a. m. this morning the admiral

superintendent's yacht was despatched to the Donegal for the purpose of conveying on shore Don Carlos's family and suite. At a quarter before 7 o'clock the Donegal was seen to "man yards," and a royal salute of twenty-one guns was fired from that ship upon the party embarking on board the yacht; captain Fanshawe accompanied the illustrious strangers, who, upon landing at Sally-port-stairs, were received with a second salute of twenty-one guns from the platform battery. A captain's guard of honour was drawn up in the street, and the marine band, as the prince and princess entered the post carriages which conveyed them to their apartments in High-street, struck up "God save the king."

Notwithstanding the early hour the platform was crowded with well-dressed people. The universal respect paid to the royal party, and the general manifestations of sympathy for the distressed situation of the prince and princess were such as became the inhabitants of Portsmouth.

Sir F. Maitland, the superintendent, lord Adolphus Fitzclarence, captains Harcourt, Codrington, and others, paid their respects at 12 o'clock.

Don Carlos, on leaving the Donegal, expressed himself in terms of heartfelt gratitude for the kind and generous reception he experienced from the captain and every officer on board. He addressed them on the quarter-deck in the French language as follows:—

"Messieurs,—Avant de vous quitter, mon cœur sent le besoin de vous témoigner ma reconnaissance pour la manière amiable avec laquelle vous tous nous avez traité.

"Moi et toute ma famille n'oublierons jamais les services rendus avec tant de franchise et de

générosité qui a toujours distingué la marine de la Grande Bretagne.

"De près, comme de loin, je me rappellerai toujours de votre excellent capitaine et des officiers appartenans à ce beau vaisseau; et pour que j'aie toujours en mémoire leur noms, je vous prie, M. le Capitaine, de vouloir bien me donner la liste de ces braves officiers."

19. FUNERAL OF DR. DOYLE.

—High mass of the dead commenced about 11 o'clock. The remains of the prelate lay in the choir in coffins of lead and deal, covered with plain brass mounting, and black cloth. His crosier and mitre were placed on the lid; a number of wax-lights, and the darkened appearance of the great eastern window, gave an air of solemnity and grandeur to the interior of the cathedral. The celebrant on this occasion was the bishop of Ossory, the right rev. Dr. Kinsela, a pupil and a fellow professor of Dr. Doyle. The rev. Messrs. Nolan, Byrne, Taylor, and M'Carthy, of the college, assisted as archdeacon, master of the ceremonies, deacon, and sub-deacon. His grace the most rev. Dr. Murray presided in the choir. His lordship's chaplain was the rev. Mr. Cowper, of Dublin. His grace the most rev. Dr. Slattery sat next, on the right side, to the archbishop of Dublin—chaplain, the rev. Mr. Morris, parish priest of Borrisoleigh. Between his lordship of Cashel and the deceased there subsisted an intimacy from the period of their professorships in Carlow to the present time, being about twenty-four years. Next on the same side were the right rev. Dr. Murphy, bishop of Cork—chaplain rev. W. Clancy, professor of moral philosophy. On the left of Dr. Murray, bishop of Ferns, the right rev. Dr. Keating sat, attended by

the rev. Mr. Rafter, parish priest of Graigue, as chaplain. There were above 150 clergymen present from the different dioceses of Dublin, Kildare, Ferns, Waterford, and Cashel, and several members of the religious orders of Augustinians, Dominicans, Jesuits, and Carmelites. The church was crowded to excess with the gentry and people of this and the neighbouring towns and counties. There were several Protestant ladies and gentlemen in the gallery.

The funeral took place in Carlow. The procession was one most suitable to the occasion; it consisted of the children of the nunnery and national schools. There were nearly a thousand of these receiving education at Catholic schools. They were followed by the members of the charitable societies established at Carlow, and all were decorated with scarfs and hat-bands. To these succeeded the young gentlemen educated in Carlow-school, the collegians, and all the respectable inhabitants of the town, in deep mourning. The hearse was drawn by six horses. The pall-bearers were W. Blakey, esq. M.P., T. Wallace, esq. M.P., Messrs. Archbold, Vigors, Tench, Haughton, and Cassidy. The bishop elect, the rev. Dr. Nolan, and the relatives of the late bishop, followed. Almost every clergyman in the diocese was present. The procession passed through the leading streets of the town, and then returned to the chapel, in the aisle of which the body was interred.

The procession was about two miles in length, there being at least 20,000 persons in attendance. The hearse was drawn by six horses, the people having been prevented on this occasion from drawing the hearse through the

town and country to avoid the accidents and fatigue attending such a journey; besides, they had already exhibited their respect for the deceased, by drawing the remains from Braganza to the cathedral. All the shops of the town, without any distinction, were closed. The chapel, college, convent, and poor-school bells, tolled during the entire time; no business whatsoever was transacted during the funeral.

The bishops were in waiting to receive the body at the western door of the cathedral, about five o'clock, when the immense multitude returned. Though Dr. Doyle ordered his executors to place over his grave but a plain slab, or stone, with a short inscription, they consented to gratify the laity and clergy by the erection of a suitable monument in the cathedral.

24. MUSICAL FESTIVAL.—The first performance of the royal musical festival, at Westminster Abbey, was celebrated this day. The king and queen, and the royal family, and most of the nobility, were present. The prices of admission were one and two guineas, according to the situation, and all the tickets for disposal had been purchased several days previous. The entire area of the nave, the space within the aisles, and the great galleries at each side, were filled with ladies and gentlemen—the number of the former greatly predominating, and their dresses being of the lightest, gayest summer colours, the effect of which was heightened by the fitful chequered light, broken as it was in its course by the heavy clustered pillars. The royal box, or rather spacious apartment, and its two wings, as also the enclosed gallery before it, looked still more attractive from the great number

of court and military uniforms which appeared in them. His majesty, the queen, the princess Augusta, the princess Victoria, and the duchess of Kent, occupied the front row of the apartment. The duke of Gloucester, the duke of Meiningen, the young princes, and a great number of the household, appeared behind. The side apartments were filled with her majesty's suite, and with lords-in-waiting, with the aides-de-camp of his majesty. In front the directors appeared, for the most part in uniforms. The archbishops of Canterbury, York, and Armagh, several bishops and dignitaries of the Abbey, also had here seats provided for them.

The royal party arrived at the Abbey exactly at a quarter past twelve, in full state, and as soon as their majesties and suite entered the royal box, the orchestra, which had been in readiness for a few minutes, commenced its magnificent display.

The introductory piece was Handel's coronation anthem, composed to the following words:—

"Zadok the priest and Nathan the prophet anointed Solomon king; and all the people rejoiced and said, 'God save the king! Long live the king! May the king live for ever! Hallelujah. Amen.'"

When the chorus began, the whole of the company stood up, and remained standing till the conclusion of the piece. When it came to the passage, "God save the king! May the king live for ever!", the most lively emotion was perceptible among the audience. The entire performance closed a few minutes before four o'clock. There was then a general move into the centre of the galleries from those parts which did not

command a view of the royal box; and as their majesties did not retire for some minutes, there was abundant time to gratify every spectator with a view of the royal party. They retired in the same order in which they had arrived at the Abbey, and were well received by the multitudes collected to view the procession out of doors, which formed scarcely a less splendid scene than that within the Abbey. In all, without including the orchestra, there were 2,700 persons present, of whom 1,500 occupied reserved seats, and 1,200 the common or guinea seats.

The second rehearsal took place on the day following the first performance. The total number of rehearsal tickets issued, and actually employed on that day, was about 2,500, being at least 700 more than at the first rehearsal. The same order, and the same regard to the convenience of all assembled, was manifested as on Tuesday; and the *coup d'œil* of the whole interior, though diminished in magnificence by the absence of the royal party and suite, was not in any very material degree less striking.

The second performance took place on Thursday, the 26th with still greater *eclat* and effect, than the preceding. A considerably larger number of persons attended than on Tuesday. By half-past nine o'clock the very few tolerable guinea seats were all occupied; and the candidates for unreserved places who arrived at a later hour were under the necessity of sitting behind pillars, which shut out the light and excluded the sound. By-and-by even that imperfect accommodation was not to be obtained, and visitors less alert contented themselves with standing-room. Their majesties, attended by their

suite, entered the Abbey at a few minutes after 12 o'clock, and were received in the same respectful manner as on the former day.

The performances commenced with the Coronation Anthem of Handel, "The king shall rejoice." The effect produced by this and the other chorusses, from the immense volume of sound emanating from so large an assemblage of choristers and so powerful an orchestra, was tremendous. The singers, from having become accustomed to each other, sang much more firmly together than on the first day's performance, and took up the points with much

greater tact. The performance consisted of selections from various composers for the first part, and from Handel's sacred oratorio, 'Israel in Egypt,' for the second and third.

The rehearsal for the third performance took place on Friday. Upwards of three thousand persons were present, a greater number than on any preceding day.

The third performance took place on Saturday: and the concluding performance on Tuesday, when the Abbey was as crowded as on the preceding days.

The subject of the last performance was the 'Messiah.'

FRENCH REVENUE.—The following Table shows the product of the Indirect Taxes for the First Half-year of 1834, compared with the corresponding Half-year of 1833 :—

INDIRECT TAXES.	Product of the First Half-year.		Difference in 1834.	
	Of 1833.	Of 1834.	Increase.	Decrease.
	Francs.	Francs.	Francs.	Francs.
Register, Stamp, and Mortgage Duty - - -	99,134,000	95,639,000	—	3,505,000
Customs, Navigation, &c., Duties - - -	51,904,000	49,798,000	—	2,116,000
Consumption Duty on Salt collected on the Coast -	23,881,000	23,407,000	—	474,000
Wine, Liquor, &c., Duties	31,840,000	34,818,000	2,978,000	—
Consumption Duty on Salt collected in the Interior	3,080,000	3,320,000	240,000	—
Divers Indirect Taxes, (Public Vehicles, Navigation, &c.) - - -	11,585,000	12,384,000	799,000	—
Product of the Sale of Tobacco and Snuff - - -	33,535,000	35,882,000	2,347,000	—
Product of the Sale of Gunpowder - - -	1,193,000	1,439,000	241,000	—
Postage and Duty of 5 per cent. on remittances -	15,833,000	16,240,000	407,000	—
Postage (Rural Service) -	727,000	768,000	44,000	—
Product of Mails and Packets - - -	872,000	842,000	—	29,000
Lottery - - -	5,315,000	2,608,000	—	2,707,000
	278,913,000	277,135,000	7,053,000	8,831,000

Decrease in 1834 - 1,778,000 Francs.

Compared with the first half-year of 1832, the product for 1834, presents an increase of 10,039,000 Francs.

JULY.

1. ELECTION FOR THE BOROUGH OF FINSBURY. — At the close of the poll on the first day the numbers were as follow :

Mr. Pownall	-	1,020
Mr. Duncombe	-	787
Mr. Wakley	-	540
Mr. Babbage	-	324

The final close of the poll was as follows :—

Mr. Duncombe	2,514
Mr. Pownall	1,915
Mr. Wakley	695
Mr. Babbage	379

The result was produced by the combination, on the second day, of all classes of radicals, whigs, and ministerialists against Mr. Pownall, who stood on conservative principles.

FRENCH CLERGY.—The following letter has been addressed to the Lord Mayor on behalf of the exiled French clergy, who took refuge in this country at the time of the revolution.

" 8, King-street, Portman-square.

" Sir, — The remembrance of your singular humanity in advocating the cause of the distressed French exiled faithful clergy inspires me with an humble confidence in addressing to you a new exposition of our most desperate state of existence.

" When we first addressed the Lord Mayor of London in the beginning of 1831, we had not yet experienced a year of horrors ; we did not then imagine that we should be left three other years in the same overwhelming condition of perplexing uncertainty. The publicity, which was given to our case, drew the attention of a few benevolent persons, who generously contributed to the relief of those

pointed out as the most necessitous. It drew especially the attention of his excellency the French ambassador, and that of his amiable niece, who, on her first charitable visit to me, entered into the minutest details of our painful condition, took notes of my answers to her questions, and sent them to her majesty, the queen of the French, who gave from her private purse assistance, which was distributed by the ambassador's daughter with her own hands, in presence of the first secretary of the embassy at my own lodging, to those who appeared to be most destitute, adding afterwards, that ' as soon as the king of the French should be allowed a civil list, it was his intention to grant us annual alimentary pensions.' Our hopes being thus revived, we ceased to make known the progressive misery of our situation. The king was granted a civil list in the session of 1832, but we saw all our hopes destroyed in an instant, for we formed no part of that list.

" The question of our pension from 1831 to this year, 1834, has been adjourned from session to session, without the Chamber coming to any settlement. The final settlement had been fixed for the last session, and it has been again adjourned to the session of 1835. From the 20th of June, 1830, to this day, the French exiled clergy have received but three distinct succours, collectively amounting to no more than 24*l.* 13*s.*, which amount divided by four, makes the sum of 6*l.* 2*s.* 2*d.* per year. I leave it to you to draw the inevitable inference. Thence so many deaths, from the commencement at this loudly crying inexplicable abandonment on

the part of the French legislature, at a time when it liberally provides for the support of the refugees of all other countries.

“ The mortality has been awful. Of more than 150 French clergymen living in 1830, I cannot count more than 75 now in existence. Daily domestic vexations, uninterrupted mental anxieties, restless nights, and the cravings of unsatisfied wants of all kinds, have untimely hurried to the tomb so many victims of an unparalleled struggle. But the incessant demands of unsatisfied creditors, coupled with the refusal of any more credit, are the most intolerable miseries to which we are subject.

“ I have said, that we have received from the Government no more than 24*l.* 13*s.* for four whole years, but you will allow me to say a word about the unaccountable delays experienced between the period of the grant made for the support of life, and the period of the payment. The interval between the first grant and the first payment was seven full months; the second interval was three months; and the third, eight. But this last succour, voted June 21, 1833, and paid to some in the last days of February with checks sent from Paris, and bearing the date of January 1st, has been paid only in the months of March, April, and May, to others, and I am told that some still remain unpaid at this moment,—that is, a full year after its being granted.

Why those various instalments of the same succour coming from the same source? Why, sir, we have been told by three French journals, that the sum voted for the support of our life has been lent at a high rate of interest by those intrusted with the charge of its distribution, and the profits pocketed by them, while those who were entitled to it perished from want within its very sight, after having complied with all the formalities required, and having been tantalized for six months, before dying the death of starvation.

“ A new provisional succour is said to have been granted at the end of the last session, but shorter than the preceding by 150,000 francs; consequently the individual shares will be but a trifle, perhaps about 4*l.* But though a trifle, when will it be paid, and how will it cover the expenses from June, 1834, to June or July, 1835? When our credit is, by the persevering delay of the Chamber, entirely ruined, there is but to choose between death by want, and the frank statement of our truly appalling case to the chief magistrate of London. May you be enabled to smooth our passing from time to eternity, and we will carry with us to our last abode the sense of a deep gratitude.

I am, sir, in the name of all my unfortunate brother clergymen, most respectfully, your most humble and obedient servant,

“ DESPERRIER, exiled priest.”

SAVINGS' BANKS OF PARIS.—The following details are taken from a report of the Savings' Banks of Paris, made a few days ago by M. Benjamin Delessert, President of that establishment, at the general meeting of the Directors and Administrators:—

The total number of deposits, in the year 1833, was	Francs.
141,741, amounting to a sum of	8,733,000
The year preceding the amount was	3,643,000
	<hr/>
Increase in 1833	5,090,000
	<hr/>

The amount of reimbursements, in 1833, was	3,066,000
In the preceding year	2,200,000
	<hr/>

From this it appears, that the deposits of 1833 were double those of 1832, whilst the reimbursements were only in the proportion of a third; so that, in 1832, the excess of the sums deposited over those paid out was only	1,442,000
Whilst in 1833, this excess was	5,667,000
	<hr/>

So that the sums received by the Savings' Banks in 1833 were four times greater than in 1832.

The sum due to the depositors on December 31, 1832, was	6,548,103 fr.	28 c.
The deposits made in 1833	8,733,340	
Interest and arrears received for the benefit of the depositors	366,680	60
	<hr/>	<hr/>

Total receipts	15,648,123	88
Repayments in 1833	3,066,756	41
	<hr/>	<hr/>

Money due to the depositors on December 31, 1833	12,581,367	47
	<hr/>	<hr/>

Represented by 95,560 f. 33 c. in the coffers of the establishment, and in the Bank	95,560	33
---	--------	----

And by 12,453,875 f. 53 c. deposited at the Treasury	12,453,875	53
	<hr/>	<hr/>

12,549,435 f. 86. c.

And by an inscription of 60,830 f. 5 per cent Consols, belonging to the establishment.

If the Savings' Bank had liquidated its accounts on the 31st of December last, after having sold its inscription at the then price of stocks, and after repaying all its deposits, there would have remained a surplus of 1,233,332 f.

The number of books (<i>livrets</i>) in circulation in 1832 was	23,693
The number delivered in 1833, was	16,891
	<hr/>

Total	40,584
Of these were paid off and cancelled	6,660
	<hr/>

There remained, therefore, on the 31st of December, 1833	33,924
	<hr/>

The money due at that period to the depositors was 12,580,000 f. The average amount of each book was 378 f., whilst in the preceding year, the amount was only 276 f.

The rapid augmentation in the number of depositors is remarkable:—

In 1831, there were but 4,916 new books.

1832, 8,160

1833, 16,891

Upon the Savings' Banks in the departments, which have been encouraged by the directors of the Paris establishment, we find the following information in the same report:—

From 1818 to 1830, there were established only 11 Banks.

In 1832 there were opened 4

1833 12

1834 20

—
47

Applications for permission to open similar establishments have been made to the number of 39

—
86

There will consequently be soon in full activity 86 Savings' Banks. These departmental establishments correspond with the central one in Paris, and to the annual report of this latter will be added a statement of the principal results of the former.

The twenty-five Savings' Banks which existed last

year, received in deposits during 1832, only ... 1,481,230 fr.

Whilst in 1833, they received 3,971,857

Giving an increase of 2,490,627 fr.

During the first six months of the present year, 1834, 12,355 new books were delivered, the deposits upon which amounted to 8,937,000 francs, which is nearly as much as the total amount of deposits of the preceding year, and, on the 30th of June, 1834, there remained due to the depositors a sum of 18,370,000 francs.

3. VICTORIA THEATRE—TRAGEDY OF CHARLES I.—Miss Mitford's historical tragedy of *Charles the First*, which has been long written, was this night brought out. The tragedy opens at the time when the king, having been betrayed into the hands of his enemies, is a prisoner at Carisbrook Castle. Cromwell's ambitious views begin to develop themselves. With "specious words of glozing courtesy," he deceives Ireton, Brad

shaw, Harrison, and the other great agents in effecting the revolution. The king is brought to trial by his subjects; his death-warrant is signed by his judges, some of whom are threatened, and others cajoled by Cromwell. Finally, he is led to execution in spite of the entreaties of his queen, and contrary to the remonstrances of Fairfax, who is, according to the published anecdote, sent "to seek the Lord" with Harrison,

while the monarch is immolated. Such, briefly, are the events portrayed in the drama. The characters are strongly and, for the most part, faithfully drawn. That of queen Henrietta is throughout a very natural portrait. As a queen—in whose veins the blood of the Medici and of the Bourbon flows—proud, bold, haughty; but when subdued by the accumulated misery of her lord, a woman—a mere woman—all tears, all entreaties! The character of Cromwell, in its general outline, is forcibly drawn. Charles, when the play opens, has reached that point where hope has almost vanished—where religion and philosophy alone remain to cheer him under the bitterness of misfortune. Miss Mitford has well depicted him—a man of many sorrows, but still a king. The tragedy was received with almost unanimous acclamations by a crowded house. One worthy critic (a lad) in the pit did vent, in the middle of the third act, certain sibilations, which so much annoyed those who were around him as to cause the police to be called in. Their presence added to the turmoil; but Mr. Abbott promptly quelled the confusion by saying, very good-humouredly, “Ladies and gentlemen, permit me, respectfully, to offer one word. Pray, as the gentleman appears to be so very singular in his opposition, let him freely enjoy that singularity.” This friendly appeal excited applause and laughter, and the dissentient voice was heard no more.

5. HOMBURGH (BAVARIAN RHINE-CIRCLE.)—“A frightful event occurred at St. Jugbert. Several children, from seven to eleven years of age, were playing together, when suddenly their

frolics were interrupted by the appearance of a wolf, which rushed upon them from an adjoining wood, seized a boy nine years old and carried him off. The pursuit which soon after took place was unsuccessful, and no trace of the child was found. Such an occurrence is quite uncommon, especially at this season of the year, when beasts of prey find abundance of food in the forests; it was, therefore, the opinion of many, that the wolf was in a rabid state from hydrophobia.”

STATE OF CRIME IN FRANCE.—The official returns of the criminal courts of France for 1833, have been published by the secretary of state and minister of justice, and laid before the king on the 7th of July, 1834.

The total number of judgments delivered was 6,162, of which 5,526 prosecutions were defended, and 636 were passed by default. In the first number of accusations 8,227 individuals were comprised, and in the second, 883. This shows an increase of 312 prosecutions over 1832, and of 832 criminals above 1831, which is chiefly accounted for by the disturbances in the southern and western departments, as well as in Paris; 262 accusations, comprising 812 persons, having been instituted on that account in 1833; and if the prosecutions on the same account in 1832, be deducted from the returns of that year, the excess over 1831 does not exceed 50 cases. The reports distinguished the different departments, and the description of crimes in each. The number of sentences for ordinary crimes was 5,295 in 1833, of which 1,331 were against persons, and 3,966 against property. The percentage against persons in 1833, was 25, and in 1831, 27 per cent.

The total of accusations comprised 7,565 persons, being on the whole population of the kingdom 1 in 4,304 inhabitants; in 1831, it was 1 in 4,281 persons.

The average usual number of prosecutions was exceeded in 1833, in 28 departments. The smallest proportion noted is 1 in 15,610, and the greatest is not mentioned for 1833; but it is stated to be less than in 1832 and 1831, when it was in the department of the Seine 1 in 1,040.

The total number of persons accused amounted to 6,236 men, and 1,329 women, being 2 per cent. more of the latter than in 1831. Of the crimes of women 13 per cent were against persons, and 19 per cent against property; and it is remarked, that most of their crimes were brought on by debaucheries, more than a fourth of the female culprits being known as loose characters.

Of the total accused, 113 were under 16 years of age; 2,266 were between 16 and 25, being 31 per cent on the whole number; 2,572 between 25 and 35, being 34 per cent; 2,614 were above 35, being 35 per cent.

In 1832, the number under 21 was 1,268; in 1831, 1,248. In 1833, 261 were foreigners. There were 4,540 who could not read or write; 2,192 who could do so very imperfectly; 682 who could do so well, and 151 who had had a superior education.

PROCLAMATION OF THE GOVERNOR OF JAMAICA TO THE SLAVES.—Lord Sligo has issued the following proclamation to the negro population throughout the island of Jamaica:—"My friends, our good king, who was himself in Jamaica a long time ago, still thinks and talks a great deal of this

island. He has sent me out here to take care of you, and to protect your rights; but he has also ordered me to see justice done to your owners, and to punish those who do wrong. Take my advice, for I am your friend—be sober, honest, and work well when you become apprentices, for should you behave ill, and refuse to work because you are no longer slaves, you will assuredly render yourselves liable to punishment.

"The people of England are your friends and fellow-subjects—they have shown themselves such by passing a bill to make you all free. Your masters are also your friends; they have proved their kind feeling towards you all by passing in the house of assembly the same bill. The way to prove that you are deserving of all this goodness, is by labouring diligently during your apprenticeship.

"You will, on the 1st of August next, no longer be slaves; but from that day you will be apprenticed to your former owners for a few years, in order to fit you all for freedom. It will, therefore, depend entirely upon your own conduct, whether your apprenticeship be short or long; for should you run away, you will be brought back by the maroons and police, and have to remain in apprenticeship longer than those who behave well. You will only be required to work four days and a half in each week, the remaining day and a-half in each week will be your own time, and you may employ it for your own benefit. Bear in mind that every one is obliged to work; some work with their hands, others with their heads, but no one can live and be considered respectable without some employment. Your lot is to work with

your hands; I pray you, therefore, do your part faithfully, for if you neglect your duty you will be brought before the magistrates, whom the king has sent out to watch you, and they must act fairly, and do justice to all, by punishing those who are badly disposed. Do not listen to the advice of bad people, for should any of you refuse to do what the law requires of you, you will bitterly repent it, for when at the end of the appointed time all your fellow-labourers are released from apprenticeship, you will find yourselves condemned to hard labour in the workhouse for a lengthened period, as a punishment for your disobedience.

"If you follow my advice, and conduct yourselves well, nothing can prevent your being your own masters, and to labour only for yourselves, your wives, and your children, at the end of four or six years, according to your respective classes.

"I have not time to go about to all the properties in this island, and tell you this myself, I have, therefore, ordered this letter of advice to be printed, and ordered it to be read to you all, that you may not be deceived, and bring yourselves into trouble by bad advice or mistaken notions.

"I trust you will be obedient and diligent subjects to our good king, so that he may never have cause to be sorry for all the good he has done for you.

"Your friend and well-wisher,
"SLIGO."

11. Tula, one of the largest, handsomest, and most populous provincial capitals of Russia, was desolated by a conflagration which broke out in a private house, at three o'clock in the afternoon; and there being

at the time a violent storm, and the weather being excessively hot, it spread in a few hours over the whole town in such a manner, that no exertions could arrest the progress of the flames. Nine churches, 670 private buildings, the wooden dwelling-houses of the numerous masters and workmen of the celebrated manufactory of arms; the iron magazines, the tallow magazines, the fish-market, the butchers' market, were in a short time reduced to ashes. Many thousand inhabitants, by this catastrophe, lost all their property, and were reduced to beggary. The Emperor immediately despatched his adjutant-general Chrapowitzki to take, in concert with the local authorities, immediate measures for the relief of the sufferers, and sent 100,000 rubles to relieve their most urgent wants.

15. NORTH TAWTON.—This town became a victim to a similar calamity to that which occurred here two years since, when 40 houses were burnt down. Last night from 60 to 70 houses were consumed. The fire commenced at about half-past eleven o'clock, and in less than one hour 30 houses presented one mass of fire. About one o'clock, six of the trees, which surround the church-yard, were burning at one time. The raging element next attacked the church, but more particularly the steeple, which at one time put that ancient fabric in imminent danger. In this state things continued till half-past 3, when an engine from Okehampton arrived, which was shortly followed by another from Hatherleigh. Fortunately, with the aid of these engines, the progress of the fire was arrested, about 8 o'clock.

16. MANSION HOUSE.—On a

preceding day Joseph Ady appeared before the lord mayor upon a summons to answer an accusation of having unlawfully obtained a sovereign.

The rev. Francis Tebbutt, of Welton, in Northamptonshire, deposed that he received a letter signed James Laurie, from the hands of his brother, who received it by post, directed to Clapton, from whence it was sent to Austinfriars, where his brother resided. Witness paid his brother the postage, and upon coming to town on Monday called upon a gentleman of the name of Hammond, who accompanied him to No. 11, Circus, Minorities, the address mentioned in the letter. The letter in substance informed him that upon payment of 20s. he should hear of something to his advantage, and intimated that the amount of the benefit would be 250*l*. Witness saw the defendant, who said that he was the representative of James Laurie. Witness asked him whether he was related to the late lord mayor, to which he replied, "Yes, he is brother to sir Peter Laurie, and my partner." Witness asked him whether Mr. Laurie was in the way, or whether there was anybody who would answer for him; the defendant replied that he could transact the business upon the payment of a sovereign. Witness said to defendant "Is it in your power to inform me of the sum of 250*l*. which I can receive on paying you a sovereign?" The defendant said, it was; upon which witness requested Mr. Hammond to pay a sovereign, which witness had given to that gentleman to pay in order that he might be a witness. Witness then went to see whether the information he received was correct, having paid the money.—

Ady.—Well, show the receipt.—Mr. Tebbutt handed in the receipt, which stated at the bottom that the money should be returned, if no benefit resulted from the information. The paper, which contained the information from which the sum of 250*l*. was to come to the right owner, was also handed in. It contained a brief history of a bankruptcy, with which Mr. Tebbutt had nothing on earth to do.—The lord Mayor.—Was the information of no use to you?—Mr. Tebbutt.—Of none whatever. When I found that the parties mentioned in the paper were nothing to me, I said to the defendant, "It does not at all concern me, and I'll thank you to hand me over my sovereign." He refused to return the money, and went and locked himself up in a room, and we waited for two hours.—Defendant.—Yes, and you kicked up a pretty riot, knocking and ringing at the door of my office, when the door was wide open.—Mr. Tebbutt.—I dare say we were there for two hours.—Defendant.—I told you if you had anything against me, the way to proceed was by civil action. You had no right to knock, and ring, and create a row.—The lord Mayor.—Did you pay the money to the defendant in the belief that James Laurie, whose name was at the bottom of the letter, was the brother of the late lord mayor.—Mr. Tebbutt.—Certainly I did, We have all unfortunate relations, and I thought sir Peter Laurie might have a brother in such adverse circumstances as to be obliged to enter into the partnership.

Mr. Frederick George Hammond deposed, that he was a magistrate of the county of Kent, and resided at Greenwich. On Thursday he

accompanied his friend, Mr. Tebutt, to No. 11, Circus, Minorities, produced the letter signed "James Laurie," and asked who that person was. Defendant said that Mr. Laurie was brother of the late lord mayor, and his (defendant's) partner. Witness asked him whether Mr. Laurie authorized him to receive the money, to which he replied in the affirmative. "Then," said witness, "nothing can be wrong," and paid down the sovereign.—Defendant.—I have a charge against you, Hammond; I charge you with a row, and taking away my papers.—Mr. Hammond. Yes, I took away several papers, of which I hand your lordship a copy.—The lord mayor read the paper. It was as follows;—

"Z. A., page 8. The undersigned is able to inform you of something considerably to your advantage, and hitherto overlooked on receipt of 20s. for his trouble.

"Respectfully,

"JOSEPH ADY, Accountant.

"11, Circus, Minorities, London,
July 7.

"No letters received unless post paid. Personal attendance daily from 10 to 3 o'clock."

"VOLUNTARY REFEREES."

"The whole of the court of aldermen, (*vide* the minutes of the court of the 7th of May, 1833,) each and all, will certify of personal benefits received through my researches, more particularly Charles Farebrother, esq., lord mayor, sir Peter Laurie, knt., who has spent 400*l.*, city money, upon me in recommending customers, &c., and W. Taylor Copeland, esq. M.P., who will spend 1,000*l.* more when needful out of his own pocket."

The defendant stated, that he was taken by surprise, and requested that the case might be

VOL. LXXVI.

adjourned till he got the assistance of counsel. It was accordingly adjourned till to-day, when Ady appeared with Mr. Adolphus as his counsel.

Mr. Adolphus having heard all the evidence read, submitted to the lord mayor that there was no case which called for bail. No money was obtained by Mr. Ady in such a way as to subject him to conviction under the Act of George II. There was an alternative in the order, stating, that if no profit was derived, the deposit should be returned.

The lord Mayor.—Am I to understand that Mr. Hammond would not have given the sovereign, if Ady had not represented that James Laurie was the brother of sir Peter Laurie, and his partner? —Mr. Hammond.—Most certainly I would not.—The Lord Mayor.—I shall call upon Mr. Ady to find bail.

He was tried, convicted, and sentenced to transportation; but, a petition being presented in his favour, the sentence was commuted into imprisonment.

—SOMNAMBULISM.—DR. BARTLETT.—A correspondent of the *American Journal of Medical Science* has recently given an account of the Springfield somnambulist. The extraordinary part of the case seems to consist in the marvellous susceptibility of the eye to its natural stimulus. "I played," says Dr. Bartlett, "a game of backgammon with the girl during one of the paroxysms. She saw perfectly well—calling her throws of the dice, and moving her pieces regularly—through several thicknesses of a white handkerchief bound closely over her eyes." She could read in a room, lighted in the usual manner, with eight folds

H

of a linen handkerchief over her eyes." The girl has no recollection in her lucid intervals of anything that has occurred in her somnambulous state. During her paroxysms there is determination of blood to the head; and she suffers other inconveniences, which render the constant care of Dr. Woodward, of the state lunatic asylum, necessary to her.

17. **SUDBURY ELECTION.**—On the first day of the election sir E. Barnes polled 258; J. Bagshaw, esq., 250. On Friday, at the close of the poll, the numbers were exactly balanced, being 263 for each candidate. The mayor, who voted on the first day's poll for sir Edward Barnes, the tory candidate, then claimed to give a casting vote in his favour, and sir Edward was declared by the corporation to be duly elected. The right of the mayor to give two votes is disputed, but the temporary decision led to serious riots, and much mischief was done in the town. The election was the severest contest ever known at Sudbury, and it is singular that 263 was the number on which the late M. A. Taylor, esq., was returned.

— **ATROCIOUS MURDER.**—A most horrid murder was committed in the county of Roscommon.—A young man, a farmer, residing near Thomastown, had been married some time ago. At the time of the marriage the young woman's father covenanted not to pay the balance of his daughter's fortune until such time as a child should be born. No sooner had this event taken place than the father-in-law went to his daughter's house, and handed the balance (20 guineas) to the husband. That night, some short time after the latter retired to

rest, the door was broken in, and five armed men, with their faces blackened, entered, and dragged the young man out of his bed to shoot him, unless he gave them the money he had that day received from his father-in-law; which he did, to save his life. The villains then departed, but in a few minutes returned, and murdered the poor fellow, lest he should prosecute them. They then made most diligent search for the wife, but could not find her, whereupon they flung the infant into the fire and burnt it to death. Fortunately for the poor girl, she had fled through a window to the police, who soon arrived, but not till the villains were gone. A dog, however, belonging to one of them, remained behind licking the blood in the kitchen, which the sergeant secured with his handkerchief, to which he attached a long rope, the end of which he held in his hand, and then let him go where he pleased. The dog never stopped until he led the police into a house in which they found the five murderers washing the black off their faces and the blood off their hands, for they did not shoot their victim lest the police should hear them. Having searched one of them, they found all the money in his pocket. They then secured them, and committed them to Roscommon gaol.

22. **CONSISTORY COURT.**—*Tongue against Allen.*—**FRAUDULENT PUBLICATION OF BANNS.**—This was a suit of nullity of marriage, promoted by Mr. Edward Croxall Tongue against Mary Ann Allen, by reason of undue publication of banns. The parties were married at St. Michael's, Bristol; Mr. Tongue, being a young gentleman of 17 or 18, and Mrs. Allen a widow of 30 or 35, sister of a

person with whom Mr. Tongue was at school. The parties were described in the banns as "Edward Croxall, bachelor, and Mary Ann Allen, spinster." The case was argued on a former day.

Dr. Lushington now gave sentence. It had been held by the Court of King's Bench, that, under the last marriage act, no marriage by banns can be held null and void, unless both parties intermarry knowingly and willfully, without due publication of banns. In the present case, there was no reason to believe that Mr. Tongue was cognizant before marriage of the fraud which had been committed. There was not a tittle of evidence to show that he had any information that the banns had been published in a false name, or published at all, till the marriage; the fraud appeared to have been committed by Mrs. Allen; the publication of the banns appeared to be her act, not his. Being of opinion that there was not sufficient proof that the husband was cognizant of the undue publication of the banns, it was incompetent to him, under the construction of the statute, to pronounce a sentence of nullity. He was aware that very serious consequences might follow from this construction of the statute — namely, cases might occur in which a fraud, as on the present occasion, might be practised by a woman of mature age upon a young man; and *vice versa*, by a man on an unsuspecting young woman; and it might be considered a grievous hardship that the individual deceived should be unable to obtain relief from the consequences of a fraud to which he or she was not a party. That evil, however, must be remedied by the Legislature.

22. PHILIPSTOWN ASSIZES.—
THE QUARRELLING PRIESTS.—
An unprecedented case was tried on the 21st and 22nd inst. under the title of "The KING at the prosecution of the REV. PATRICK KENNEDY, v. the REV. MICHAEL CROTTY and the REV. WILLIAM CROTTY.

The indictment contained several counts, the principal of which charged the defendants with entering into a conspiracy against the plaintiff in his sacerdotal character of parish priest of Birr, with entering the parish chapel at various times, causing riots there, and disturbing public worship. The trial of the younger Crotty, who had acted as his brother's assistant in the transaction, was at his request postponed, to give him time to procure witnesses; and the trial of the Rev. Michael Crotty, the elder brother, was called on. This defendant then submitted an offer to the following effect, as an inducement to the prosecutor to stay proceedings:—"That as a great number of the Roman Catholic parishioners had subscribed to the erection of the new chapel (whose possession had formed the great subject of dispute), and as they wished to have the Rev. Mr. Crotty for their priest, they proposed that the Rev. Mr. Kennedy should have mass at an appointed hour, and that the Rev. Mr. Crotty should have mass at another hour, which should not interfere with the Rev. Mr. Kennedy; and thus both might for the future live in amity and good Christian feeling."

This offer was not at all satisfactory to the Rev. Mr. Kennedy, who was already in possession of the chapel; he refused to enter into any such compromise, and the trial proceeded. The only witnesses ex-

amined were for the prosecution, as the defendant declined calling any. It appeared that the Rev. Mr. Kennedy had been a priest for 34 years, and came to reside in Birr early in 1826, as administrator of the Rev. Mr. Maher, parish priest, on whose death, in June, 1826, he was appointed parish priest, in his place, by the bishop in the usual form. This appointment was, however, opposed by the parishioners, who insisted that their favourite curate, the Rev. Michael Crotty, should be promoted to the parish. Mr. Crotty had, during the illness of Mr. Maher, been in the habit of celebrating mass for the parishioners, previous to the arrival of Mr. Kennedy, in an old chapel which was tottering to its fall, and was mainly instrumental in raising a subscription to build a new one, in which he naturally hoped to have an opportunity of officiating as parish priest in the ordinary course of nature. This, however, the fates and the bishop forbad. Mr. Crotty was removed for a time to the curacy of Killaloe, and the new administrator (Mr. Kennedy) pulled down the chapel and regularly installed himself in the new one. About this time Mr. Crotty returned on a visit to his friends in the parish, to collect contributions to defray the amount of a fine of 10*l.*, levied on him under a green-wax process, for refusing to give evidence against a friend in a case of assault; and being encouraged to try his right of rectorship against the new administrator, and stand on the goodwill of the parishioners, he remained in Birr, entered the chapel on Sunday, where he and his rival celebrated mass and counter mass, amidst a scene of singular violence and

vituperation, and then went to law with each other. The Rev. Mr. Kennedy gained the victory, and his opponent was sentenced, among other things, to keep the peace to his rival for seven years. Mr. Crotty did keep the peace most religiously for his term, at the conclusion of which he again appeared in Birr; and on the 13th of April last, attended by his brother priest, he re-entered the parish chapel at the head of his friends, clad as the officiating priest, to try his rights and his luck in another law-suit. Here he was opposed by the Rev. Mr. Kennedy and his partisans, and a scene of tumult and confusion ensued, which lasted for two hours, under the astonished eyes of military and police, " whose benevolent assistance was particularly requested " by the frightened parish priest. No mass could be celebrated all that day, for not a word could be heard in the chapel, so the parish priest shut it up, went home in despair, and kept it shut next Sunday. This scene was repeated, with slight variations, up to the present time. Both parties politely requested the presence of Mr. Vignoles and his police, to prevent accidents, and in pursuance of their desire that he should keep the peace, he politely arrested Mr. Crotty three times as he attempted to celebrate mass in a row amidst hard blows.

The jury found Crotty guilty of the riots and attempts to disturb public worship, and he was sentenced to two months' imprisonment, to keep the peace for another seven years, and to give bail, himself in 500*l.*, and two sureties in 100*l.* each.

25. INFORMATION BY A NOBLEMAN AGAINST DEALERS IN, AND POSSESSORS OF, GAME. — Mr.

George Fisher, a licensed retailer of game in Duke-street St. James's, appeared upon a summons at Bow-street, issued by sir F. Roe, upon the information of the most noble the marquis of Queensberry, for unlawfully disposing of certain birds called "red game," between the 19th of March and the 1st of August, contrary to the provisions of the game laws. The noble marquis, sir Roger Greisley, and other extensive owners of property in the northern counties, were present as the supporters of this and another information.

Mr. John Lockyer Passmore, of No. 3, St. James's-place, was called as a witness to prove the purchase of the game; and the case having been substantiated, the defendant was fined 40s. and costs.

The next case was that of M. Eustache Ude, the celebrated French cook, who appeared on a summons issued at the suit of the same noble marquis.

Sir Roger Greisley deposed, that he was a member of Crockford's Club-house, and one of the managing committee of that establishment. The defendant was cook there, and on the 19th of June witness dined at the club-house, and saw grouse served in the room, but did not partake of it.

M. Ude.—Vell, my dear sare Rojer, vat is all dis to me? Certainment you must know dat I don't know vat de devil goes up into de dining-room. How de devil can I tell veder black game, or vite game, or red game go up to de dining room? Dere is plenty of game always go on in de house, but dat is noting to me. My only business is to cook for de palates of does who like de game.

Sir Roger Greisley.—I really don't know what in common jus-

tice M. Ude can have to do in this matter. He is the cook of the establishment certainly, but he only prepares what is ordered. The committee order the things, and he provides according to those orders.

M. Ude.—Tank you, my dear sare Rojer. I knew you vould get me out of de scrape vot de noble marquise has got me into dis time.

Charles marquis of Queensberry, sworn.—I was a member of the committee at Crockford's, but am not now. I was at Crockford's on the 19th, and dined, and grouse were served at the table.

M. Ude.—But my noble friend, (great laughter) as I said to my friend sare Rojer, I know noting at all about vot vent into de room. I never sawed it at all. De orders are given to me. I send my people to de butcher and to de poulterer, and to de fishmonger, and de tings are brought, and I command dem to be cooked, and dey are cooked, and dat is all I know about it.

Sir F. Roe.—Whether you know it or not, the act of parliament makes you liable.

M. Ude.—Upon my honour dat is very hard. Ven I got de summons I remonstrated vid my lord Alvanley, and he say, "Oh, never mind, Ude, say dey vere pigeons instead of grouse. "Ah, my lord," say I, "I cannot do better dan call dem pigeons, because dat bird is so common in dis house." (Loud laughter.)

Sir F. Roe, who appeared greatly to enjoy the scene, said, he must, upon the oaths of the noble marquis and sir Roger Greisley, convict the defendant; but he should certainly put the lowest penalty—namely, 5s.

M. Ude.—Vel, I shall pay de money, but it is dam hard. (Laugh-

ter.) Ve have always game in our house, and de poor devil of a cook have to pay de penalty for it. (Great Laughter.)

The defendant paid the 5s. and costs, and the marquis of Queensberry said, the only object in laying the information was to protect himself and other large proprietors in the north from the spoliation which was carried on to a great extent by poachers.

25. MAIDSTONE. — Benjamin Gardiner, aged twenty nine, a private grenadier in the fiftieth regiment of foot, was placed at the bar, charged with the wilful murder of Patrick Feeney, the sergeant of the regiment, by shooting him whilst on parade at Chatham, on the 9th of the present month.

George Hewer.—I am a sergeant in the fiftieth regiment now quartered at Chatham. The deceased, Patrick Feeney was sergeant in the grenadier company in the same regiment. Prisoner was a private in that company. On the 9th of the present month there was a private parade, at about half-past four in the afternoon. The parade was in the barrack-yard at Chatham. At private parade it is not usual for privates to have flints in their muskets, unless ordered. They never go on parade with their muskets loaded. There was no order that day that the men should have flints in their muskets. I saw the prisoner at that parade. He was in the ranks. Sergeant Feeney, the deceased, had to inspect the company. I heard him give an order. After inspecting the company he closed the ranks, as usual. He ordered the prisoner to take two paces to his front. The prisoner did so. Feeney gave him the order, "right about face." Prisoner obeyed, and in doing so

staggered. Feeney then gave the word of command, "left about face," which was immediately obeyed. The prisoner's musket was then in the position of "shoulder arms," standing up with the musket in his hand. The deceased then called the corporal, and ordered him to take the prisoner to the guard-room. The prisoner, as soon as the word "guard-room" was mentioned, threw his firelock from its loading position, and at the same time cocked it, pointed the muzzle of the firelock towards the deceased, and fired. The deceased bent down on his knees, and, in the act of falling, called out "Oh! murder." When the musket was discharged, it was in the loading position, and it was raised one inch. I went up to the prisoner and ordered him to give me up his firelock, which he did. I ordered him to come to the guard-room, and I with two corporals took him there. While we were going the prisoner said, "I have rid the world of a tyrant and a rascal, and I am ready to die for it." The prisoner was put into the black hole adjoining the guard-room. He then turned about and looked at me, and said "sergeant Hewer, you are safe that you are living, for that piece (pointing to the firelock) was loaded for you before." The prisoner was afterwards removed to the cage at Chatham. As we were going there some one asked me, if the sergeant who was shot, was dead; I said "no, not when I left the barracks." The prisoner said, "If he is not dead, I hope he will soon die, for I am not afraid of the rope." The firelock must have been loaded before the parade. The deceased was orderly-sergeant. It is usual for that officer to desire a soldier

to step from the ranks and go through his facings, if he suspects him to be intoxicated. The deceased died about two hours afterwards.

Cross-examined by Mr. Bodkin. — The prisoner staggered, and was not fit to be in the ranks. It was about half an hour from the time the gun was fired to the time of the removal of the prisoner to the black-hole. What he said was whilst under the influence of liquor. Two corporals were present when the prisoner spoke of me. On ordinary guard the soldiers have the flints, and on convict guard their pieces are loaded. The prisoner would take his turn on convict guard. The charge in the gun must have been from some former loading. Any man, unless he were in drink, would expect his gun to be unloaded on parade. The flint in the prisoner's gun might have been seen on inspection. The prisoner threw the firelock from the shouldering to the loading position in the same manner as soldiers are drilled to do. The loading position is not that to fire from. He had hold of the firelock with both hands, and his forefinger on the trigger. There was a second or a second and a half from the time he cocked the piece to the time he fired it. He was in the act of raising it. He raised it and fired. I considered he was in the act of raising it to the "present," when it went off. He had made use of no language against the deceased up to the time of firing it.

Two other corporals in the regiment confirmed the evidence of this witness.

Mr. Campbell, the staff-assistant surgeon at Chatham-barracks. On the afternoon of the 9th of the present month, went to the hos-

pital, where he found Feeney wounded about two inches above the navel, a little to the right of the medial line of the body. It was a circular wound, from an inch to an inch and a half in circumference, as if from some deadly projectile, passing through the body, penetrating the liver in its passage, and making its exit between the eighth and ninth ribs. It appeared a gun-shot wound, but much larger than he should have expected from a gun-shot wound. Feeney died in about an hour and three quarters. That wound was the cause of his death.

Cross-examined. — A musket without a ball fired so near a person could not produce such a wound. Such a wound as Feeney's would not have been produced from mere powder and wadding. The witness thought the ball struck the button, which, with the ball, produced the wound. He found a piece of the button in the wound.

The prisoner being called upon for his defence, handed in a paper, which was read as follows:—My lords and gentlemen of the jury,—I beg humbly to state I did not know the gun was loaded, I was so drunk I did not know what I said or did. I did not owe the deceased any animosity or ill-will; and I do most deeply deplore the accident, and am ashamed of the expression, which, in a moment of intoxication, it appeared I made use of."

Mr. Justice Littledale having read over the evidence, told the jury the question for their consideration was, whether the musket went off by accident or was discharged by the prisoner with a deadly purpose. As to the state of intoxication in which the prisoner was at the time, they would

judge if the language he used after the melancholy event was expressive of his real sentiments towards the deceased. The fact of drunkenness was no excuse in the eye of the law. Should they be of opinion that it had been discharged intentionally, they would then have to say if the death had been caused by a bullet. He thought the indictment sufficient, should it appear to them that the wound was occasioned either by a ball or by destructive materials.

The jury, after consulting for about five minutes, returned a verdict of *Guilty*.

The foreman added "We think the musket was loaded with a bullet."

His lordship expressed his entire concurrence in the verdict, and proceeded to pass sentence of death.

26. KILKENNY ASSIZES.—**TRIAL OF ONE OF THE MURDERERS OF MR. LEONARD.**—Mr. Leonard was murdered in the noon day, on the high road between Ross and Waterford, on the 8th of March 1833. Philip Malone was found guilty at the last spring assizes, and executed on the spot where he had been principal in taking away the life of Mr. Leonard. Robert Malone, his brother, was this day charged with aiding and assisting in the murder, and found guilty on the following evidence:—

James Roche.—Remembers the day on which Mr. Leonard was killed. Had a perfect view of the spot where the gig in which the deceased was travelling from Waterford to Ross was. Can't tell how far from the spot in which he stood. (It appeared by the map to be about a quarter of an English mile.) The gig was opposite Cashen's-lane, on the part of the

road called Shambo-hill. Heard a shot from the place. Had seen nothing before he heard the shot. Then looked in that direction and saw three men pelting stones.—They were on the side of the gig nearest to Cashen's house, which was a short distance down the lane: saw one of them catching by the bridle the pony that drew the gig. That man was dressed in a big coat, which appeared to be dark or black.

James Cashen, approver, examined.—Was living on the 8th of March, last year, at Shambo, with his mother, two brothers, four sisters, and three uncles. Lived in a house in the lane called by the preceding witness Cashen's lane. There is a gap in the wall of the lane, near the corner, through which a person might enter, and another gap near the house. There is a furze ditch between the lane and widow Cashen's (his mother's) ground. Knew Philip and Robert Malone, who lived about a mile and a half from Shambo. Saw Philip Malone about a fortnight before the murder in Patrick Meany's stables, in Kilbrahan. Agreed to go, in company with others, to murder Mr. Leonard. On the morning of the murder witness went to Mr. Hogan's house, and also to Mary Water's for a spade. On his return home saw Philip and Robert Malone at the corner of the lane. Robert Malone had a blue frieze body-coat; Philip a big coat of the same colour. After going about the business, he came again to the same spot, and found Robert Malone there alone; asked him what he was waiting for. He replied, "Waiting for the landlord."—Went down with him to his mother's barn, where Philip Malone

was. Robert returned towards the road, and witness went into the dwelling-house. Shortly after, witness joined Robert, and, a woman named Cullen coming from his mother's house towards the road where they were, they walked towards the bridge of Shambo, Robert observing that the woman might know him. Cullen proceeded towards Ross, and then witness and Robert Malone returned to the corner of the lane, the latter observing they could not see the man from the hollow where the bridge was. Met Catty Forrestal, the reputed mother of the Malones, who gave Robert an iron-barrelled pistol from under her cloak, and then went on to Cashen's. Saw a gig, and a gentleman in it, coming from Waterford. Robert Malone first saw it, and pointed it out on the opposite hill. It was Mr. Leonard, he heard. Robert then went through the gap to the inside of the wall. Soon after this witness saw Robert and Philip Malone running up the lane with pistols in their hands. Philip had the brass-barrelled pistol, and Robert the iron-barrelled one. Robert stayed inside the wall, because he said Mr. Leonard knew him, but he could see the road. When Mr. Leonard came up, Philip Malone seized the pony by the bridle. Mr. Leonard said, "Don't harm me, my man." Philip said he would. Mr. Leonard then made the sign of the cross on himself. Philip Malone pulled the trigger, and the pistol burnt priming. Witness told Mr. Leonard to leap out, or he would be killed. Mr. Leonard began whipping the pony which backed towards the wall instead of going forward; he stood up in the gig. He said, "Don't, Robert, I'll give

you a new lease, and forgive Meany's rent." Robert Malone now leaped out from the lane, in doing which his pistol went off; he came on the road and handed the pistol to witness. He then placed two stones to the wheels of the gig, and taking up other stones struck Mr. Leonard on the right arm, and on the side of the head; the head hung down to one side. The wheels of the gig missed the stones that had been placed behind them, and it ran back against the wall, which was a low one. Both the Malones then got on the wall and began pounding Mr. Leonard with stones, who did not struggle after the first blow on the head. Robert then said, "Blood and ounds! the Peelers will be here; run away." Witness went to his people's house; Robert Malone went towards Ross, and Philip inside the wall; but in about a quarter of an hour they came into the barn. Witness hid the pistols. His uncles were not at home that day; does not know where they were. Mary Malone who had been sent with the rent, brought word from Ross that Mr. Leonard was to come home that day. Catty Forrestal told witness to come that night for the watch he had been promised. Did go, and saw the Malones at Pat Meany's stables, who asked, "was he killed?" but refused to give witness the watch, because he did not help. The watch belonged to a Philip Malone deceased.

Two other witnesses corroborated a great part of the preceding evidence, but did not identify the prisoner.

Richard Cashen, brother of the approver, after deposing to several particulars, some of which have already been stated, said he saw both the Malones on the day of the

murder, at the corner of the lane. Philip said, "This would be a good place, I'll do it here." Robert aid, "I won't do it." Heard from Philip they intended doing something. Catty Forrestal was in his mother's house about dinner-time. Saw the body after death from his mother's yard gate, in the gig. The cape of deceased's coat was flying with the wind. This witness in his cross-examination said, that, while in Kilkenny gaol, soon after the murder, he crossed two walls, and gained admission five times to a yard, from which he could have conversation with his brother James, and that in their conversations he begged him to turn approver.

The approver, James, being recalled, denied this.

Several respectable witnesses were then called, who stated it to be impossible for Richard Cashen to cross the wall as often and in the manner alleged; though the gaoler admitted he heard he once attempted some communication with James, which led to a stricter watch and guard on the parties.

Baron Foster in summing up the evidence, left it to the jury to decide whether or not the approver's evidence had been corroborated in the essential points by that of his brother Richard, who alone supported him as to the identity of the prisoner with one of the men who had been seen committing the murder. He observed, that if they believed Richard in all the particulars he swore to, they should disbelieve James, and consequently could not find the prisoner guilty. If, however, under all the circumstances, and from the weight of other testimony, they should think the prisoner guilty, it was his duty to

ask them whether they believed the testimony of James or Richard Cashen.

After a short deliberation the jury returned a verdict of *Guilty*; and added that they believed the facts stated by James Cashen to be true.

The learned Judge then pronounced sentence of death.

Patrick Meany, also, was convicted for a conspiracy to effect the murder of Mr. Leonard. Both were executed.

29. WESTERN CIRCUIT. — EXETER. — ADMINISTRATION OF UNLAWFUL OATHS BY TRADES UNIONS.—The King v. Brice and fifteen others. The defendants in this case were indicted for having administered unlawful oaths, they being members of an illegal association.

Mr. Follett stated the case.—The defendants were bricklayers. In the course of last year there had been a formation of certain societies in London; and it had been the intention of the members of those associations that branch societies should be established in different towns connected with the societies in London. This association was formed of working tradesmen, bricklayers, carpenters, and others. The ostensible object of these associations was to keep a check on their employers. The way in which this was effected was, that the persons, who conducted these proceedings in London, were to give notice to those in the country, who were to act upon their instructions. Every person, on becoming a member, bound himself by an oath, administered in the most solemn manner, not to disclose anything which might take place among them. That these associations were most dan-

gerous, no one could doubt; it could not be proper that the working orders of the people should meet together, and bind themselves not to disclose their proceedings: it might be used for the most dangerous purposes as regarded the welfare of the state. The object of this prosecution had been to check the mischief in the outset. Two of the defendants were persons who had come from London for the purpose of forming these associations.

Mr. Serjeant Wilde here stated, that he had to suggest that, as the parties were now satisfied of the illegality of their proceedings, every object had been answered, and public justice had been abundantly satisfied; and he, therefore, hoped the prosecution would not be pressed further.

Mr. Follett said, there was no wish on the part of the prosecution to press the case, provided it was understood by the defendants that their conduct had been an infraction of the law. The object of the prosecution had been answered, and there was no wish that the defendants should receive any punishment. They might be discharged upon entering into their own recognizances.

Lord Denman then told the jury, that, under these circumstances, the learned counsel for the defendants, feeling he could not defend their conduct, they would find them guilty. The offence was, conspiracy to administer unlawful oaths, for the purpose of raising wages, and he trusted that it was understood that the law would not permit such associations; that was not a legitimate mode by which the working classes could obtain any object. The jury would find the defend-

ants guilty; but they would not be brought up for judgment, unless the prosecutors should think proper to complain to the court of anything relative to their future conduct.

The defendants then appeared, and entered into their own recognizances.

Lord Denman then said to them—"You all understand, that you have undertaken to appear, if the gentlemen who prosecute you should think it necessary, which they will not do, provided you act in the spirit of your present proceeding."

They were then discharged.

30. Manchester and the neighbourhood was visited by one of the most severe storms of thunder and lightning which have occurred for some time. The storm commenced soon after two o'clock in the afternoon, and continued with little intermission till near four o'clock, being accompanied by a deluge of rain. The lightning was general throughout the town and suburbs, but its effects seem to have been mainly confined to the N.E. and N.W. sides thereof, extending on the former side to Newton, and on the latter to Prestwich. Throughout the whole of the district named, much damage was done to the gardens and hothouses. Hardly a whole pane of glass was left in many of the hothouses and conservatories in Prestwich, Kersall, Cheetham, Crumpsall, Collyhurst, and Smedley. A tree near the iron bridge at Broughton was shivered from top to bottom of the trunk. One peculiarity of the storm was, that fragments of ice, some of them of an extraordinary size, fell in abundance, adding to the damage caused by

the storm. Much land in low situations was flooded.

While the storm was raging, two female weavers, named Ann, Horrocks and Mary Longworth, were working in a loom-shop in Rooden-lane, Prestwich. Shortly after three o'clock Horrocks saw what she described to have been a large quantity of fire running along the floor, and being alarmed, she fled into the house of a neighbour, named Taylor. Having recovered from her fright, she requested Taylor to go to the loom-shop, and see what had befallen Longworth, whom she had left behind. He did so, and on entering the place, he found the unfortunate woman extended on the floor, lifeless. The right side of her body was much scorched and blackened, as if by the action of the fluid, but her clothes were uninjured. Just before the lightning entered the room, Horrocks heard a loud crack, as of the giving way of a building. It was found that the chimney was much shattered, and some bricks were displaced beneath the window, the direction most likely taken by the lightning.

At the house of Thomas Nelson, silk-weaver, residing a little above the King's Arms at Newton, Nelson and his son Richard were engaged at their looms upstairs, and Samuel Gradwell, William Boardman, and John Shelmerdine, were at their looms on the ground-floor. About twenty minutes past three o'clock the lightning entered by a single pane in the loom-shop upstairs; struck Nelson and his son; then descended through a crevice in the floor to the room beneath, and struck the three men who were working there. The elder Nelson was violently thrown

on his back on the floor. When he came to himself in a few minutes, he attempted to rise, but was unable to do so from weakness. He then turned over, and was shocked at the sight of his son extended on the floor apparently lifeless. He scrambled to him as well as he was able, raised the youth's head, and spoke to him, but he answered not—he was dead! After several attempts to raise his son, he called aloud for assistance, but none was rendered to him at the moment, for every person in the house had been affected by the lightning. At last his wife went up stairs, and she and her husband removed the dead body of the son into the little garden. Below stairs a scene equally dreadful had taken place. Shelmerdine had just been speaking to Gradwell, when his whole frame was violently shaken and he was knocked down, at the same time exclaiming — “Oh, God! what is the matter?” When he came to himself, Boardman, who had been less violently affected, said to him, “Look at Sam.” He turned round, and saw Gradwell leaning back upon his seat against the wall, and apparently dead. Boardman and he removed the stricken man down stairs, where he gave one sob and expired. All three had been standing at the door of the house not five minutes before, remarking on the awful character of the storm; Shelmerdine led the way back, Gradwell jocularly remarking that they must grope their way, owing to the darkness. Richard Nelson was preparing to commence work; he had the shears in his hand to cut the knots of the warp, and died with them in his grasp. He was most burnt on the left side of his body, and was bruised upon his right

leg. His clothes were burnt, and his left shoe was torn as if a pair of pincers had been applied to it. He was a single man, nearly twenty-two years of age. Gradwell was twenty-eight years of age, and left a wife and three children. A bricklayer, who was in the house, was severely bruised by the shock, and his labourer in a slight degree. Mrs. Nelson, who was in the same room with them, also sustained injury; and the daughter, who was in the kitchen, was thrown down with great violence.

CURE OF CHOLERA.—The following letter from a most respectable and experienced medical practitioner, has been addressed to the Editor of the *Times Newspaper*.—Sir, I am anxious, through the medium of your widely-circulated journal, to impart to the public and to my medical friends in particular, a very aggravated case of Asiatic cholera, which has just terminated favourably under my care. I have endeavoured to be neither digressive nor technical, but merely to give a plain and simple outline of facts. I do not arrogate to myself individual credit for the treatment; I adopted the plan of emetics, from a pamphlet, published by Mr. John Langford, who successfully employed them, in a cholera hospital at Manchester, and to whose assistance I was indebted during the course of my patient's illness, but I do not agree with that gentleman in his reprobation of opiates, particularly when the spasms are violent. It is a singular coincidence, that Mr. Ormond Dunn, of the Legacy Office, the subject of the attack, dined at Greenwich on Thursday, the 17th inst., in a room adjoining to the late Marchioness of Head-

fort, and they were both shortly after affected by the same dreadful malady within a few hours of each other. Mr. Dunn's bowels were disturbed Friday and Saturday; he had cramps, purging, and vomiting for several hours previously; but I was first called to him at nine o'clock on Sunday morning, the 20th, when all those symptoms were painfully aggravated. Eight drops of Garden's solution of acetate of morphia tranquillized the spasms in less than five minutes; and, at ten, I commenced the plan of emetics, by giving him a grain and a half of tartarized antimony in solution, and then half a grain for four successive hours till two, o'clock. I assisted the operation by simple diluents, and occasionally allowed soda and iced waters; the latter of which was particularly grateful to him. At half-past two, the spasms returned, and again yielded to six drops of morphia, and at half-past four, I administered ten grains of calomel. From this time, and during the following thirty-eight hours, the tartar emetic was regularly persevered in, at first in doses of one grain in every two hours, afterwards reduced to one in three hours, and at last to half a grain, and constant vomiting was thus kept up. Hitherto, I had entertained little hope of saving the life of my patient; his countenance had been cadaverous, and marked by that expression so peculiar to this disease; his exhaustion extreme, his body of a livid colour, and emitting a faint and unpleasant odour, and a large quantity of colourless fluid was continually passing from the bowels, in which was floating a considerable portion of flocculi, perfectly white, but at this time (six o'clock Tuesday morning, the

22nd,) he appeared much relieved, had a slight bilious motion, and passed urine for the first time since his attack, and after a lapse of fifty-four hours. I now became sanguine, and, in fact, the only circumstance which for a time retarded his convalescence was a soreness and irritability of the stomach, with frequent retching without ejecting. Two grains of calomel and six of rhubarb this night at bedtime, and an enema of salts and sena, with ten grains of compound extract of colocynth the following (Wednesday) morning, acted freely, and brought away a large portion of dark bilious matter, but the uneasiness in the stomach was not much mitigated, and I had recourse to eight leeches to the region of that viscus, from which he experienced considerable relief. Since then, his amendment has been rapid, I have allowed him a light but nutritious diet, he has taken an airing in a carriage, and is daily progressing towards perfect recovery.

On reviewing the case, I cannot of course but be satisfied with the result; at the same time, it is a doubt upon my mind whether the irritation which called for the application of leeches, might not have been obviated by a more simple form of emetic.

MATTH ROWE.

24, Woburn-place,

30. ECONOMY IN ROYAL BURGHS.

—The magistrates of Inverness have applied to the lord advocate to take some steps for getting the burgh relieved of the expense of executing criminals. They men-

tion to his lordship, that they have discharged their executioner; and that they will be subjected to very serious expense, if a man at present in custody on a charge of murder should be sentenced to be hanged.

—THE NATIONAL GALLERY.—Two splendid works of Corregio have been added to this collection. The subject of one of them is “a Venus, with Mercury, teaching Cupid to read.” The figures are somewhat less than the life, and are drawn with matchless accuracy and grace. The other picture is the “*Ecce homo*.” The face of the Saviour is the perfection of beauty, and the character of pain which the features display, is subdued by the resignation and confidence which light up the countenance. The ruddy and somewhat savage face of the soldier, on the one side, and that of the pale and fainting mother, in the lower part of the picture, on the other side, show the skill with which the painter brought out the true principles of his art. These two master-pieces have been purchased from Lord Londonderry, for 11,500*l*.

—POPULATION OF PARIS.—On the 15th of March, 1827, the population of Paris was certified by an ordinance of Charles X. to be 890,431. On the 11th of May, 1832, another census was taken, when the returns made out but 774,338, being 116,093 less, after than before the revolution. Out of the whole number, only one in every 172 of the inhabitants voted at the late election.

OPENING OF THE NEW ENGLISH OPERA HOUSE.—This theatre was, for the first time, opened to the public. “God save the King” was sung by a very numerous corps, and, immediately afterwards, the following Address was delivered by Mr. Serle :—

While various languages divide mankind,
And none can speak the universal mind,
One common voice of sympathy remains,
And music’s tongue of all the soul explains :
The infant’s wail, the blithe note of the bird,
The stirring war shout, nature’s fury heard
In the vast ocean’s roar, the thunder’s crash,
The groanings of the wind, the gentle plash
Of murmuring brooks, the mountain cattle-call,
The laugh, the cry of wo,—these speak to all ;
These sounds instinctive form sweet music’s tongue,—
Sounds every race and nation heard among.
In Britain only broken is the spell—
The harp unstrung? Have we no thoughts to tell
Worthy their voice? Is there no master hand
To sweep the strings—no music in the land
Of Milton and of Shakspeare? Call it forth—
Sow you the dragon’s teeth, and see the teeming earth.
Yet think not we repine at foreign art,
Grateful we share the joys it can impart.
We have no feud with Paganini’s bow.
With Grisi’s grace, or Taglioni’s toe ;
We only quarrel with that pedant band
Who praise because they do not understand—
Those whom an opera in pure Chinese
Would move to well-affected ecstacies.
Genius is denizen of every land,
And honours by his step a foreign strand.
Yet, by that genius’ all commanding powers,
Scorn not its might because it may be ours.
This unpretending fane is dedicate
To gentle arts that soften or elate.
Sentiment, pathos, are not banished hence ;
Bold whim and jest shall mock at sadder sense ;
And, guiding every change with mild control,
Music shall rule and harmonize the whole.
One custom broken here may ask excuse ;
We to the theatre restore it’s use ;
We think that every gesture should be seen,
And words be heard, to know well what they mean.
Therefore, for this small scope your favour pray,
Where you see what we do, hear what we say—
Must we mete greatness by the builder’s rule,
Or is this house fit for the drama’s school ?
Your kind encouragement success ensures—
Be this the Muse’s temple, be it your’s.

HYDROPHOBIA.—On Monday, an inquest was held on the body of Ellen Donovan, a child aged three years, whose death was occasioned by the bite of a mad dog.

James Atkins, a gardener, of No. 20, Calton-street, Poplar, stated that, about five weeks ago, a dog belonging to him broke loose from his chain, and bit the deceased. The animal had been previously carefully fastened up with the chain; but the children, and the Irish of the neighbourhood, were in the habit of teasing it. He missed the dog for some time, and a boy told him it had been seen loose. He met the father of the deceased, who complained that the dog had severely bitten his child, and requested him to kill the animal, and he did so, as soon as he returned home. The dog had given no previous indications of being in a rabid state. He directed the mother of the child to take her to a surgeon's, and he subsequently paid the expenses of medical attendance. The mother neglected to convey the deceased to the doctor, until four days had elapsed. The child was bitten on the cheek. It was not a very bad bite, but it seemed as if the teeth of the animal had grazed the cheek, which had some blood on it. At the request of the father of the deceased, he extracted the liver, heart, and part of the lights of the animal, and delivered them to him.

A juror asked the witness what he did that for?

Atkins said, the father told him he meant to boil them, and give them to the child, as a remedy for the bite of the dog.

Margaret Donovan, the mother of the child.—About the 29th of May last, the deceased was brought home in the evening, directly after

she was bitten, and the blood flowing profusely from her cheek. The owner of the dog came in immediately afterwards, and told her to take the child to a surgeon's, and he would pay the bill, but it was three or four days before she did so, as she did not think the case was so serious, as it afterwards turned out. She rubbed some sweet oil on her child's face.

The Coroner asked the witness, if she had been foolish enough to give the child any portion of the animal.

Witness.—Several people told me, if I could get a part of the liver and heart of the dog, boil it, and give it to her, it would be sure to cure her.

Coroner.—And did you do so?

Witness.—In consequence of that, my husband applied for, and brought home a part of the liver and lights of the dog. I roasted it, and gave the child a bit about the size of the top of my finger. She ate it on the same night the dog was killed. When I called in the doctor, the child's face had swollen, and was festering. I took her to Mr. Beale, a surgeon, whose assistant attended her. The deceased got better, and the wound healed, but she was never thoroughly well. She was feverish and sickly, and then got better, and then worse again; she became violent, and would scream loudly. She frequently ran about and screamed, and if I attempted to chastise her, she would scream more. It was such screaming as I had never heard before. She afterwards got out and ran about. All this time, neither Mr. Beale nor Mr. Percival, the surgeons, attended her. About the 2nd or 3rd of this month, the child was taken violently ill and very feverish, and

she took her to Mr. Baker, of Bromley, the parish surgeon, before whom she screamed violently. She was affected in the throat, with difficulty of breathing, and on water being offered to her, she seemed quite to avoid it, started back, and appeared in convulsions. The sight of the water frightened her more than anything else. She expired, in great agony, on Friday last.

Isaac Luck, a labourer, of No. 4, Bow-lane, stated that he saw the dog fly at the child and bite her. The animal seized hold of the deceased's cheek and shook her, biting her at the same time, and the blood flowed from the wound. The dog then ran towards home, and he went and took him to his master, by placing a handkerchief round his neck. The animal knew him, and offered no violence whatever to him. The animal was a middling-sized dog of the bull breed.

Mr. James Duff, of the Manor-house, Poplar, said, the case was a strongly marked one of hydrophobia in its worst form. He saw the deceased, with her face lacerated, immediately after she was bitten, and he observed the marks of the dog's teeth. The animal was destroyed immediately afterwards. He first saw the child in a rabid state about nine o'clock on Friday. He took some water, and threw it on the child's face. The effects were, that she quivered and shook violently. She also screamed and barked, and at intervals howled like a dog.

The Jury returned a verdict—"That the deceased, Ellen Donovan, died of hydrophobia, caused by the bite of a mad dog, on the 29th of May last."

AUGUST.

1. WARWICK ASSIZES. — *Bird v. Smart*.—This was an action for criminal conversation with the plaintiff's wife.

The plaintiff carried on the business of a carrier at Birmingham, in partnership with his father. He was married to Miss Sarah Walton, at Lichfield, in the year 1827, he being then about twenty-eight years of age, and the lady a little younger. The defendant, who was a factor at Birmingham, was unmarried, and lived in a private house of his own, distinct from his warehouse. He was upon intimate terms with the plaintiff and his family, and was in the habit of visiting at his house. Mrs. Bird was fond of music, and having only one child, she devoted a portion of her leisure time to the cultivation of that accomplishment. The defendant was also musical. From the nature of the plaintiff's business, he was much engaged at his warehouse, which was at the end of the street in which he lived, particularly on three nights in the week, which were called "fly nights." He was also occasionally absent from Birmingham for a few days together. In the year 1838, they had two servants, named Eliza Andrews, the housemaid, and Ann Lee, the cook. The former left their service in the month of February in that year; and the latter was turned away by her mistress on the 10th of September following. On that very day, which was a Monday, she went to the house of the plaintiff's father, at Edgbaston, two miles from Birmingham, and made a communication to his cook, which she repeated to Mr. Bird, sen. on the

following Wednesday, imputing to the plaintiff's wife a criminal intercourse with the defendant. This led to an inquiry, the result of which was that the plaintiff sent his wife home to her family, and brought the present action. The defendant denied that anything criminal had taken place between Mrs. Bird and him; and the question now mainly turned on the credibility of the statements made by the two servant women.

The first, Ann Lee, swore that she had been occasionally employed by Mrs. Bird to carry notes to the defendant, with directions to take them to his warehouse and deliver them to himself, and if he was not there, not to leave them. On one occasion, Mrs. B. directed her to take a note; but if her husband or any body else was present, instead of delivering it, she was to ask for some music belonging to a young friend. On another occasion the witness, when sent with a note, delivered it to Mr. Henry Smart, the defendant's brother, and her mistress, on being informed of that, became very much agitated, and said that Mr. Henry Smart might read the contents of it, as it was only sealed with a wafer. One day, some time before Christmas, but she could neither state the day nor the month, she took a note to the defendant, and on that same evening, about half past 7 or 8 o'clock, he came to the plaintiff's house. This was one of Mr. Bird's "fly nights," on which nights the plaintiff was always detained in his warehouse until 9 o'clock, when he came home to supper, and then went back again until 11 or 12. Before the defendant came, the witness had taken in the candles lighted, and placed them on the table in the

dining-room, and drawn down the blinds. After the defendant had been in the room about ten minutes Elizabeth Andrews took witness from the brewhouse, where she was engaged, to the outside of the dining-room window. The blind not being quite as broad as the window, witness could see into the room by the side of it, and on putting her eye to this crevice, she saw the defendant and Mrs. Bird standing on the floor in a stooping position, he having his arms round her waist, and apparently about to kiss her. The witness saw nothing amiss in the dress of either of them, and having stopped only about a minute at the window, she went back to the brewhouse. On the evening of the 20th of January following, the plaintiff being then from home, Mrs. Bird told the servants, they must be ready to go to bed by 10 o'clock. Between 9 and 10 o'clock she came out to the kitchen and said she heard some noise, like a rap at the door. She went to the back hall door, came back, and said what a fine night it was. She afterwards said she again thought she heard some noise. The witness having locked the door, put the keys in the plate tray, and carried them to her mistress's room. She was previously, however, directed by her mistress, who was sitting at the fire in the dining-room, to hand her out the sherry wine, and fetch a couple of wine glasses, which she did: and her mistress poured out half a glass full, which she pretended to drink, but did not taste. She then told witness, who usually undressed her mistress when her master was from home, to go to bed, as she (Mrs. Bird) intended to sit up some time reading. The witness then withdrew, leaving the dining-room door

a-jar. Having some suspicions in their minds, the witness and her fellow-servant, Elizabeth Andrews, came out upon the landing of the attic stairs, and heard loud whispering between Mrs. Bird and a man, whose voice appeared to be that of Mr. Smart. They listened to it for nearly a quarter of an hour, until they heard Mrs. Bird coming up stairs, when they went to bed. On the following morning the hall-door did not appear to be bolted in the same manner as she had left it on the night before. She subsequently took a note from Mrs. Bird to the defendant, which she first read over to witness. It began "My dear George," and was all about religion. She heard her mistress say one Sunday evening, that she had been to church with Mr. Smart and his brother Henry, and that Mr. Henry Smart had afterwards said that the preacher was a hypocrite, and so were some of those who went to hear him, at which she felt offended. The witness further stated, that she had frequently seen Mr. Smart visit her mistress in her husband's absence, and then when he went away on those occasions, her mistress's hair generally seemed disordered, and that she always went up to her room, and returned down stairs with her hair quite neat again.

The statement of the other woman, Elizabeth Andrews, corresponded with that of Ann Lee as to what was alleged to have taken place on the night of the 20th of January, but with respect to the previous night, when they looked in at the window, her description of what she saw differed materially from that of the other witness.

Both witnesses underwent a rigid cross-examination, particu-

larly the latter, who admitted that she knew that Mrs. Bird was in a particular state of health at the very time of this occurrence, which she said she witnessed through the window.

Some minor circumstances were also spoken to by other witnesses; and it appeared that the defendant admitted to the plaintiff's attorney that notes had passed between him and Mrs. Bird, but he said that they all related to music, invitations, and other indifferent subjects.

The learned judge having summed up the evidence very minutely,

The jury, after a few minutes deliberation, returned a verdict for the defendant.

4. WARWICK. — John Fitter, aged forty-seven, was indicted for the wilful murder of Margaret Webb.

The trial of this case occupied the court from 9 o'clock in the morning until 7 o'clock in the evening, and excited intense interest. Twenty-five witnesses were examined; the following is the substance of their testimony:—

The deceased was the wife of a gardener, named Samuel Webb, who lived in Lawley-street, Birmingham. Whilst her husband worked in his garden, which was about a mile and a quarter from the house, she remained at home, and sold bacon and other articles. On Wednesday, the 9th of April last, the deceased went out to a baker's for some pikelets or cakes, for her husband's tea, and was seen going into her own house at about a quarter-past 3 o'clock. At half-past 3 o'clock, she was found dead on the floor of her kitchen by a little girl, named Sarah Divett, who immediately gave the alarm

to the neighbours. On examining the body, it appeared that there was a deep wound in the throat, which divided the carotid artery and jugular vein, and from which a great quantity of blood had flowed. There was also a contused wound on the side of the head, as if from the blow of a hammer, and which completely penetrated the skull. A coat and shawl were thrown over the body. A box up stairs had been rummaged, and 46s. in silver taken from a pocket-book, but twenty sovereigns, which the deceased had tied up in an old petticoat, remained in the box undisturbed, and were there found by the husband on his coming home from the garden, whither he was sent for as soon as the deceased was discovered to have been murdered. On the table in the kitchen was a piece of bacon, with a small slice nearly cut off, as if the deceased had been in the act of cutting it just before she was killed. In her left hand was placed a knife, which had bacon-grease upon it, and which had apparently been so placed by the murderer for the purpose of making it appear that she had cut her own throat. But there was no blood upon her hand, and only one small spot upon the knife; neither was the knife, clinched in her hand in the way it would have been, if she had used it for that purpose. It was the opinion of the medical men who examined the body, that she had been first knocked down, and that her throat had been then cut, after which the knife was placed in her hand, and the coat and shawl thrown over her. The prisoner was a shoemaker, who lived in the house next but one to that of the deceased; his door was in Lawley-street, but the door of Webb's

house was in an entry. At about 2 o'clock, on the day of the murder, he was seen standing at his own door smoking a pipe, and dressed in a soldier's old red jacket, which he usually wore at work; at about 3 o'clock, he was also seen in the same place by a little boy, who stated, however, that he was then in his shirt sleeves, and had no red jacket on. A witness named Mary Hudson swore that, between 3 and 4 o'clock, she saw the prisoner come out of his own door and go up the entry in which Webb's door was, and that she (the witness) having occasion for a certain convenience, went up that entry, and was going to ask Mrs. Webb to permit her to go in for that purpose, but that, on looking in through the window, over the blind, she saw the prisoner standing on the floor leaning forward, with a woman's head resting on his right arm. Supposing the woman to be in a fit, and the man to be her husband, for she had not previously known either of them, she went away and turned up another entry. She then crossed over to a coal-yard, purchased some coals, and when taking them home she saw the prisoner come out of the entry and pass quickly into his own house. He had on a red jacket, a leather apron, and a paper cap; and he held the corner of his apron a little turned over his left hand. This witness did not give any information of what she saw, nor did she go before the coroner, until Monday the 21st of April; and in the mean time handbills offering a reward of 50*l.* for the discovery of the murderer had been posted about the town. She denied having had certain conversations respecting the murder on two several occasions with two different women, which

women were called for the defence, and contradicted her in that respect. Another witness, named Mary Ann Pattison, a soldier's widow, swore that she came to the prisoner's house about half-past 3 o'clock, (the time of the murder) to have a pair of old boots repaired, and that he was not within when she entered the house. In four or five minutes, however, he came in, passed quickly through the kitchen, opened a cellar door with his left hand, went into the cellar, and closed the door after him with his right. He had on his red jacket, a cap, a leather apron, and slippers. He did not speak, and as he opened the cellar door, the witness saw that his left hand was bloody. Immediately afterwards, another man came in and passed up stairs to where the prisoner used to work. In a few moments the prisoner came out of the cellar without his jacket and apron, and his left hand was smeared with blood, as if it had been imperfectly wiped. The witness asked him to mend her boots, and he hastily answered "not now, my girl; I cannot just now." The witness then went away, and called on a Mrs. Rufford to speak about some washing, and told her it was boots, and not caps, she had wrapped up in her handkerchief. She also said she had fetched the boots that day from her box at a Mrs. Dearn's. Mrs. Rufford, however, who was called to corroborate her, stated that Pattison was at her house at the time she mentioned; but she denied that she asked her anything about caps, or that Pattison had spoken about boots; and Mrs. Dearn, who was afterwards called on behalf of the prisoner, swore that Pattison had taken an old pair of boots out of the box at her house

on the Thursday week after the murder, and that that was the first time her box had been uncorded after she had brought it to the house. It also appeared that, at the time when the prisoner was stated to have gone into the cellar, there was a tub with soapsuds in it, and a window which made it light, so that he might have washed his hands instead of wiping them. Pattison did not go before the coroner until Monday, the 21st of April, although the inquest first sat on Saturday, the 13th, on which day the prisoner was apprehended at the globe tavern, where the inquest was then sitting. On searching his house the red jacket was found in the garret where he used to work, without any sleeve linings; his leather apron was also found there, with some pieces shaved off near the bottom, and an old piece of woollen cloth with blood on it, but no cap nor any money. Some spots of blood were to be seen on the prisoner's trousers which he accounted for by stating that he had assisted a neighbour in killing a pig about a week before, which was true. For the spots shaved off the apron he accounted, by saying that he had given away wax plaisters to men who had cut their fingers; and witnesses were called who stated that he had given them plaisters of that kind, cut from his apron. Some of the spots were more recently cut than others; but, there were no marks of any on the upper part of the apron. The piece of old cloth was sworn to have been part of his wife's old under petticoat. On a subsequent search of his working-room or garret, the officers found, in a hole in the old boarded floor, covered with dirt and scraps of leather, a pair of

pincers, on which there appeared to be a mark of blood. Part of the skull of the deceased was produced by the surgeon, in which a hole about three-quarters of an inch in diameter had been made by the blow she had received. The hammer of the pincers so found corresponded in size with that hole, and the surgeons were of opinion, that that wound might have been inflicted with those pincers; but they admitted, that it might also have been inflicted by a common hammer, or the head of a poker. An old man named Fenney, who had worked in the same garret with the prisoner for the last ten months, said those were not the pincers which the prisoner had used, but he admitted he had previously said they were, until another pair were produced. This old man, who was called on the part of the prosecution, also stated, that the prisoner had been working with him in the garret on the day of the murder, from half-past 2 o'clock until they heard the alarm of the murder. On being pressed on this point, however, he said he could not swear that the prisoner had not gone down stairs during that period. There was a great deal of other evidence adduced but it related, for the most part, to trifling circumstances.

It appeared, that at the time of the murder and until he was taken up, the prisoner was in great poverty, the necessary supplies of food for his family having been purchased by money borrowed in small sums at pawnbrokers' on trifling articles of female wearing apparel; neither was there any money found on his person or in his house.

After a very careful summing up of the evidence by the judge,

the jury deliberated in the box for a few minutes, and then pronounced a verdict of *Not Guilty*.

4. This afternoon a cow in a wild state was driven from Smithfield. On its arrival in Coppice-row, it started off with furious speed, rushing at and tossing every-thing in its way, until, by extreme violence, it broke one of its horns. The drover, in an attempt to stop it, was tossed and gored, and was taken to the hospital. The animal pursued its course, followed by a multitude of idle fellows, hooting, which tended to alarm it and make it more wild. It tossed several men, women, and children, until it arrived in Warner-street, which, fortunately, happened to be clear of passengers. On its arrival in Dorrington-street it tossed and gored a woman. The animal turned up a lane near the house of correction, and ran with great speed until it arrived nearly at the end, where a lady far advanced in pregnancy, who was crossing the fields from Calthorpe-street to Bagnigge-Wells' road, met the animal, which made a rush at her, and she attempted to escape. The infuriated beast plunged at her with its head and horn, and at length forced her against some wooden palings newly erected on the spot, and gored her in a dreadful manner, until she was covered with blood. Her screams were terrific. After pressing and trampling upon her for some time, the animal made a sort of slip, and fell with all its weight upon her person. Several men and boys pelted it with large stones, and before it could rise a body of men rushed towards it, and endeavoured to hold it down. Several obtained a tight hold of the horn, head, and neck, but it

released itself from them; by this time, the lady was taken away shockingly mutilated and injured. The animal stood for awhile, and then made a rush at a labouring man, standing within the gate attached to the newly-erected pailings, and forced its way in, when the man dexterously climbed over the palings and proceeded with all possible haste to the gate, which he closed and bolted; the animal made several efforts to leap over the palings and force them through, but failed. It was then secured.

5. In the jury court, in the trial of a case connected with the Fife bank, Mr. Dalziel, writer to the signet, who was examined as a witness, stated the following singular circumstance:—Some papers connected with the case had been mislaid, and after a very diligent search, all hope of finding them was given up, until the night previous to the trial, when he dreamt that the papers were lying in a particular place. On going to the quarter indicated, he discovered them.

9. PRECEDENCE OF THE ATTORNEY GENERAL BEFORE THE LORD ADVOCATE IN THE HOUSE OF LORDS.—In an appeal, the solicitor general and Dr. Lushington appeared for the appellant, and the attorney general and the lord advocate for the respondents. Before proceeding in the appeal, the attorney general said, he was anxious to have the question settled which had been argued at their lordships' bar on former occasions, between himself and the late lord advocate, as to their right of precedence; the question simply being, whether the attorney general of England, or the lord advocate of Scotland, should have

precedency at their lordships' bar?

The Lord Chancellor.—I hope you do not mean to argue it again, but perhaps as there is a new lord advocate he may wish to do so.

The Lord Advocate.—No, my lords, I have not had sufficient time to consider the question. I must leave it as it stands, on the argument of my learned predecessor.

The Lord Chancellor.—“My lords, in this matter, in which it was considered there was a knotty point when it was last before your lordships (it was several times mentioned, although not within the last few months), I have taken time to consider the question. I have conferred with the learned persons who have held those offices, and I have formed my opinion, after the best consideration I can give it, that there is no doubt, nor ought there ever to have been any question upon it, that the attorney general of England clearly leads the lord advocate of Scotland in all cases, whether Scotch or English, in the house of lords, or in any other court here in which the lord advocate can practise, whether in the privy council, the court of delegates, the house of commons, (supposing them not to be members), or in the house of lords; they lead according to rank, first the attorney general, and next the lord-advocate. A much more difficult question to settle might arise as to the precedence of the dean of faculty, but that does not arise in the present case. If the lord advocate led the attorney general *quasi* lord advocate, it might be in respect of two things—the one as to the court in which he practises, and the other his own office; but it never can be

owing to the nature of the case: consequently, whether it be a crown cause, or a cause between subject and subject, or whether it is a Scotch, or an English cause, it is no matter, because counsel lead, not because of their being more conversant with the matter in hand, but through, and by virtue of, a grant from the crown, the fountain of all honours, or, what is equivalent to it in this instance, immemorial usage. That being the sole ground for leading, it has no reference whatever to the subject matter of the case. Now, what would follow, if the lord advocate should lead the attorney general? I do not say that the crown has not the right to give the lord advocate precedence; but if the crown had said to him, "you shall lead the attorney general in all Scotch cases and no others, and in all other cases the attorney general shall lead you," it would be a very extraordinary grant; it would be like giving to a peer the rank of a marquis in all marriage processions, but directing the marquis to go behind the barons in all funeral processions; or, giving the marquis precedence in one coronation procession, and placing him behind the barons in another, which would be a most capricious thing. If the lord-advocate led at all, he must lead in all courts. Now this is a court for English appeals as well as Scotch. I will put a supposed case, in which the lord-advocate would be in this position. The attorney-general files a bill *ex officio* in the Court of Exchequer in a revenue case, or a criminal information in the Court of King's Bench, and he there obtains a judgment, and the case is brought under review in this court by writ of error, and the lord-ad-

vocate and attorney-general are counsel on the same side, for there is nothing to prevent the lord-advocate from appearing in this court in any cause: it would be absurd to say in such a case, that he could take precedence. But it might be said, that the lord-advocate having precedence in a case in the court of Scotland, it would be an absurdity for him not to have precedence in the same case here; but I think the other is the greater absurdity, because counsel, who cannot practise in the court below, can practise here. There is no precedent to justify your lordships in coming to the conclusion that the lord advocate has precedence over the attorney-general, and on these grounds, therefore, I shall put the question for your lordships' decision, because I think it fit it should be decided. I therefore humbly move, that his majesty's attorney-general, in all cases in this and all other courts, take precedence of the lord-advocate of Scotland."

The motion was then formally put to their lordships and agreed to.

12. WESTERN CIRCUIT — WELLS — PERJURY. — Daniel Marogh was indicted for wilful and corrupt perjury, he having charged a person of the name of Crudge at the last assizes for Somersetshire, with having robbed him of 130*l*. The indictment was preferred by the direction of the grand jury.

The deposition made by the prisoner at the time he charged Crudge was read, in which he swore that he had come from Ireland with fifty-two pigs, which he had sold for 130*l*.; that he had put the money in a bag, and had tied it round his neck; that about a mile from Dulverton he was

met by Crudge and another man, who had beaten him and robbed him of the 130*l*.

Richard Crudge stated, that he was a labourer near Dulverton, and that he had been working with a man of the name of Sutton, at a hedge adjoining the turnpike road belonging to an estate of lord Carmarthen, on the day that the prisoner came to Dulverton. He did not see the prisoner on that day, nor had he robbed him. Was committed to prison on the charge, and released at the assizes, the bill being ignored by the grand jury.

Daniel Sutton.—Had seen the prisoner pass while he was at work with the last witness, and had wished him good night. Crudge did not speak to, or touch, the prisoner.

Jane Hitchings deposed, that her husband kept the Rising Sun at Taunton. The prisoner had come to her house on the 28th of January, and said his brother was coming from Ilfracombe with 100 pigs. After he had had some refreshment, he was called upon to pay for it, when he said he had no money, but that his brother would pay for what he had, and he went away without paying.

Theophilus Tripe, a farmer, stated, that the prisoner had called on him on the 29th of January, to look at some bullocks which he (the prisoner) had sold him some time before; he then told him he had been robbed of more than 100*l*., and that he had no money. Witness gave him 1*s*. to take him to Ilfracombe; in about ten days after, he heard he had charged Crudge with robbing him.

Thomas Criddell kept a public-house at Wiveliscombe. Prisoner stayed at his house from the 28th

of January till the 1st of February. He said he had no money, and went away without paying anything.

The jury found the prisoner *Guilty*, and he was sentenced to be transported for seven years.

12. FIRES IN THE FORESTS AND MOORS OF COURLAND AND GERMANY. — GREAT DROUGHT. — Riga, for many days previous to the 12th of August, was covered with smoke. This was ascribed to great fires in the forests, which according to the accounts of the country people, were burning about Zarniekaw, Allarch, Roop, and Olai.

On the news of a fire in the forest not far from Riga, the most prompt measures were taken to avert the danger. A hundred peasants were employed to dig a deep ditch, and military detachments were stationed in the vicinity of the fire.

The last number of the *Journal of Courland and Livonia* gives an account of a fire in a peat moor, caused by the long drought. Thousands of people were employed in digging ditches to arrest its progress; but it frequently happened that the moor behind them began to burn, the fire having probably spread at a depth lower than the bottom of the ditches.

The drought has done irreparable damage to the crops of every description in Courland. Streams, that never before were dried up, are now wholly without water, so that very few mills are able to work, and in some parts people must take their corn 30 English miles to get it ground. There has been no rain of any consequence since the spring; if any fell, the sun and wind soon dried it up. Many fallow lands cannot be plough-

ed, the ground being as hard as a rock. There are similar gloomy accounts from Livonia and Esthonia.

The *Berlin State Gazette* of the 17th of this month, mentions several new and most destructive fires which had broken out in forests, and which, in consequence of the long-continued drought and hot weather, spread with rapidity. Among the names of the woods thus devastated we find the following:—Arnsdorf, Wartenburg, Menlsack, Sonnenberg, Fuchsberg, Ottenhagen, Lindenau, Kleinurschen, and Johannisberg. The damage has been immense. In one instance, 100 acres of linden trees were entirely consumed. It is announced, as a curious fact, from Marienwerder, that in the latter part of July, immense swarms of grasshoppers completely devastated the surrounding country. The number of wolves had remarkably increased. In one month were destroyed, five male wolves, five female, and five cubs. The usual rewards allowed, in such cases, amounted to 294 rix dollars.

12. ELECTION FOR THE EASTERN DIVISION OF GLOUCESTERSHIRE.—On the first day of the poll the numbers polled altogether throughout the various districts were:—

Mr. Codrington	-	2,292
Mr. Leigh	-	2,180

Giving Mr. Codrington a majority on the gross poll of the day, of 112

When the general state of the poll was made up, the numbers appeared to be, for

Mr. Codrington	-	2,767
Mr. Leigh	-	2,706

Majority on the gross poll for Mr. Codrington 61
Mr. Codrington stood on high

Conservative principles. The chief force of his opponent lay in the manufacturing towns and villages: Stroud, for instance, gave Leigh 836 votes, and Codrington only 231.

—LIBERALITY OF LIBERAL CORPORATIONS.—In the town council of St. Andrew's there are two parties; when any question comes under review to which the more liberal one is favourable, but on which it is thought by the other party, that some preliminary discussion may be of importance, a learned councillor endeavours to put a stop to all debate, by the following pithy remark:—"——it, what's the use o' explainin' an' makin' speeches? Put it to the vott. We have a majority. —— it Provost, put it to the vott, dinna ye see we have a majority?"

NEW MODE OF THIEVING.

—The *Shrewsbury Chronicle* says, that some itinerant showmen recently visited that town with a ribbed-faced baboon, which, it is suspected, has been trained by its owners to commit robberies on houses in the night by climbing up places inaccessible to men, and thereby gaining an entrance through the bed-room windows. Last week a lady residing in that town, on retiring to bed, found the animal in her room; it instantly attacked her, on being discovered, and it fought with so much fury when the lady's husband came to her rescue, that he was glad to let it escape through the window. A gold watch was missed from the table, which, it is supposed, the animal had carried off. The following morning the owners of the baboon left the town with the suspected burglar.

14. A Conservative meeting in Dublin took place at the great

circular room attached to the Mansion-house, which was built to entertain George 4th during his visit to Ireland. The requisition, signed by the earls of Roden, Enniskillen, and Longford, lords Bandon, Lorton, and Farnham, was to the following effect:—
 “We, the undersigned, being deeply impressed with a sense of the alarming situation in which the Protestants of Ireland are now placed, and being anxious to co-operate with them for the protection of our religion, and the preservation of our liberties and our property, request your presence, and that of any of your friends who agree in our view of the present posture of affairs,” &c.

The doors were opened at 11 o'clock, and at half-past 12 the chair was taken by the lord mayor; the apartment contained nearly 8,000 persons. The galleries were filled with a numerous array of ladies. Previous to the chair being taken, two banners were displayed amidst great applause. One was orange, having on it an equestrian statue of King William handsomely embroidered. The other banner was purple; on one side was the motto, in gold letters, “Obedience to the law, but no surrender of principle;” on the other, “Orange Lodge, 1745.” These were borne into the body of the building, and subsequently round about the room, in a kind of procession, followed by about 100 individuals, variously decorated with orange and blue scarfs, cockades and breast-knots of similar-coloured ribands, &c. Some amused themselves with throwing up oranges, and huzzaing for King William; but on the whole the absence of any systematic display of Orangeism was marked and felt very percepti-

bly. Lord Roden stood up before the business began, and requested “his Orange brethren,” for the sake of unanimity, to remove the flag and scarfs, which was immediately done, every one pocketing his own share of the unfashionable emblem. The platform, which was erected several feet above the level of the room, was set apart for the nobility and gentry, the movers and seconders of resolutions, and the committee.

Amongst the gentlemen on the platform were the following:—The marquis of Downshire, the earl of Roden, earl of Mayo, earl of Winchelsea, earl of Longford, earl of Rathdowne, earl Courtown, earl Norbury, earl of Bandon, viscount Massarene, viscount Castlemain, viscount Lorton, lord Downes, lord Mandeville, lord Hillsborough, lord Cole, lord Stopford, sir Robert Bateson, bart., M.P., archdeacon Lindsay, sir James Bruce, bart., Mr. De Salis, honorable colonel Wingfield, colonel Acton, colonel Irwin, colonel Beresford, hon. James Hewitt, hon. archdeacon Agar, colonel Verner, M.P., colonel Conolly, M. P., Henry Maxwell, esq. M.P., Edward J. Cooper, esq. M.P. Mr. Thomas Lefroy, sir Edmund Hayes, bart., M.P. sir George Rich, the dean of St. Patrick's, admiral Pakenham, sir Augustine Fitzgerald, bart., sir Edward Stanley, sir Richard Baker, sir Drury Jones Dickinson, major Devereux, major Eccles, major Thompson, captain R. Stopford, captain Taylor, E. J. Shirley, esq., major Beresford, captain Eccles, captain Keogh, captain Broomfield, captain J. Mayne, lieutenant Pigott, R.N., archdeacon Langrishe, rev. Darcy Irvine, rev. Dr. Prior, S.F.T.C.D., rev. Charles Boyton, ex-F.T.C.D., rev. J. Martin, ex-

F.T.C.D., rev. Mortimore O'Sullivan. The business of the meeting continued upwards of seven hours.

16. **DESTRUCTIVE FIRE AT LIVERPOOL.**—This night, between the hours of ten and eleven, Liverpool was thrown into a state of alarm, in consequence of a fire having broken out near the Salthouse-dock. The volumes of flame emitted from the neighbourhood illuminated nearly the whole of the town and docks; and the apprehension that some portion of the shipping had taken fire was very great. On inquiry, it appeared that the workshops and outhouses belonging to Messrs. Clarke and Nixon, ship-builders, of Cornhill, near the docks, were in flames, threatening destruction to the whole of the premises, and the vessels then on the stocks, in a state of formation, in that and the adjoining shipwrights' yards. The fire broke out in a large stove, used for the purpose of drying timber, and fixed at the bottom of the work-shops and saw-pit; it was first discovered by Mr. Forrester, an inspector of the dock police, who immediately gave the alarm; and if men had been at hand at the time, there would have been little difficulty in extinguishing the flames. The engines, however, did not arrive, before the flames had gained so powerful an ascendancy as to extend to a large workshop at the extremity of the yard, the upper part of which was filled with pitch, tar, cordage, and other inflammable materials; in less than ten minutes afterwards, the whole premises were enveloped in a blaze, and the fire was communicated to the piles of timber heaped in the yard, which presented the appearance of an immense bonfire, and emitted such a powerful body of

flame and heat as to render approach to the building extremely dangerous. About eleven o'clock, the first engine, the Norwich Union, arrived on the spot, immediately followed by one of the new Liverpool fire-police engines, accompanied by the superintendant. The men of the fire-police in a few minutes got it into play, by means of water supplied by the tanks in the yard; but the supply was so exceedingly scanty and non-effective, that the Sun and Royal Exchange engines were despatched to the Salthouse-dock, when a communicating link of hose was placed between the docks and the yard, and the water was pumped from those engines into that of the fire-police. During this time the fire was raging with unabated fury in the building, and amongst the timber in the yard, and in consequence of the smallness of the pumping-engines, compared with the fire-police engine which received the water, there was great difficulty in obtaining a sufficient quantity for the fire-police engine to act effectively. Within a yard of the building, which was now entirely gutted, a very fine vessel of 600 tons burden, in an unfinished state, was upon the stocks. The flames had already reached the sides of the ship, and fears were entertained, that it must eventually fall a prey to them. Numbers of persons got on board the vessel, and poured buckets of water down its sides, which, however, had not the effect of extinguishing the flames; the superintendant seeing this, extended his hose, and having passed two intermediate fires, continued to play upon the burning embers of the sides, and about two o'clock in the morning, although badly supplied with water, he suc-

ceeded in ensuring her safety. At one time, she was much endangered by a party of officious fellows removing the scaffolding at the sides, which enabled the firemen to climb up so as to approach that portion of the vessel which was on fire. The superintendent desired them to desist from their work of destruction; but they refused, and it was only when one of them was given into custody that the rest submitted. Had they been suffered to proceed, the supporters of the vessel in its upright position would have been removed, and it must have fallen into the burning ruins in the building. A set of ruffianly vagabonds, in the dress of mechanics, were present, who refused to lend the least assistance, and endeavoured to persuade others from doing so, stating that they were sure not to get paid for their services. After the fire had become partially subdued, the timber at the river end of the shed caught fire, and again endangered the vessel; and the mayor, who was promptly on the spot, and remained until four o'clock in the morning, seeing that if the fire there got any head it might communicate to the other shipwrights' yards, and the damage become incalculable, took effective measures to have it immediately put out, and succeeded in his exertions. Although the fire occurred between the docks and the river, there was a lamentable want of water. This was owing, first, to the absence of the turncocks, for one only of them was present, and he was so drunk that he did not know where the plugs were; and, secondly, to the inefficiency of some of the fire-engines. The fire was not got under control until five o'clock on Sunday morning.

16. COUR D' ASSISE DE LA SEINE INFERIEURE, ROUEN. — ASSASSINATION OF A WOMAN BY HER HUSBAND.—A man named Delcetre, an agricultural labourer, was placed at the bar, charged with the murder of his wife, under the following circumstances:—

On the 14th of January last, a dead body was discovered in the fields of Mesnil-Panneville, which turned out to be that of a woman named Delestre. She appeared to have been dead only a few hours, and was lying on her back, with her arms crossed on her bosom, and her legs nearly straight, being only a few inches from each other. Her clothes were not in the slightest degree disordered. On the right her petticoat was slightly stained with mud, and had the appearance of a knee having been placed upon it; and, on the same side, her leg bore the impress of a foot, which had evidently been placed upon it. On the right side of her head, the handkerchief, four times double, which bound her head-dress, presented several marks of blood; on the middle of the left shoulder, there were several stains, and at one side of the body, a spot of ground was saturated with blood. There was, also, a large bruise on the left ear, and on the neck; and two other bruises—one near the right ear, and the other on the left thigh, and a little scar on the right cheek. The body was removed to a neighbouring house, the greatest care being taken to preserve the position in which it was first discovered. In moving it, however, it was found that the back of the camisole (an under-waistcoat) which she wore, was much soiled with mud about the shoulders, while the petticoat was scarcely soiled at all.

On the following day, the Juge

de Paix, attended by Dr. Monderville, went to inspect the body. The first opinion of the medical gentleman was, that the deceased had died of pulmonary apoplexy, from which she appeared to have suffered, some time previously to her death. He subsequently acknowledged, that his examination, in consequence of being pressed for time to send in his written deposition, was not sufficiently minute to bear out his statement, and that he was also misled by the false representations of her husband, as to the state of her health; that the drops of blood on her garments and on the ground were not likely to come from her spontaneously; and he afterwards sent a more circumstantial statement to the Juge de Paix, in which he gave it as his firm belief, that the deceased had been suffocated, and that a violent struggle had taken place between her and some second person, and that she had received serious injury by compression of the right breast.

Her husband, Delestre, witnessed the examination of the body; endeavoured to deceive the medical men, by his misrepresentations, into a belief, that she had died a natural death; and stated, that he had heard her several times declare she would commit suicide.

The deceased was fifty years of age, and considerably older than her husband. Her husband, it appeared, had become tired of her, and spent all he earned with other women, refusing his own wife even the common necessities of life. She lived with her children, in the commune of Bouville, and he lived about two leagues off, on the premises of the Sieur Beranger, an agriculturist of Motteville, by whom he was employed as shepherd.

Every time he went home to his

unfortunate wife, he uniformly beat, and treated her, in the most brutal manner. He was also overheard, shortly before the tragical death of deceased, talking with a woman, who said, "No, you are married." His reply was, "I know how to dispose of my wife in such a manner, as to be able to marry you." The poor woman, it appeared, had long feared what would be the end of his cruelty, and told an acquaintance, that she would some day hear that he had killed her.

The last time Delestre went to see his wife, was on Wednesday, the 8th of January. When he went away, he told her she had better send him some clean linen the next Sunday, by his son, Alphonse Delestre. On the Sunday, Alphonse went to Motteville, accordingly. The landlord of the house, which the deceased and her children occupied, at Bouville, mentioned, about this time, the payment of the rent, which was overdue, and the prisoner said to his son, "Tell your mother that she must come, and get some money for the landlord, and that she had better set out for it to-morrow afternoon, at four." Telling her to come for the money was a mere pretext; for a few days before, on the occasion of the *Fête des Rois*, he had spent in the company of one of his mistresses, all the money he possessed, and there was none due to him from his master. The hour for her departure he purposely fixed, that he might have the cover of the night for his dark deed; for it was in the month of January; and she had two leagues to walk. On the appointed day (Monday), fearing to disobey her husband, although she dreaded to see him, she set out; she dared not, however, go alone, but was accompanied by a woman,

named Laurent, whom she had so earnestly entreated, with tears, to go with her, that she at length consented, although much to her own inconvenience. When they had arrived within a quarter of a league of the farm of Sieur Beranger, she, not wishing to provoke Delestre, requested her companion not to proceed any further, adding, "that he would not be pleased, if he knew that she (Laurent) had accompanied her." She then, alone, directed her steps towards the farm, which was not more than three quarters of a mile distant, but the farm she never reached; her husband was, doubtless, waiting for her, not far from where she parted with Laurent, and she was never again seen alive. The Jury, after three-quarters of an hour's deliberation, returned a verdict of "*Guilty*, but under palliating circumstances."

What could have induced the jury to add anything to the mere verdict of guilty in this case, where the prisoner was clearly convicted of murdering his wife with premeditation, it is difficult to conceive, unless it was the strong objection which juries have to take the life of a fellow-creature. Delestre, who did not manifest the least emotion, was then sentenced to hard labour for life, and to be publicly exposed.

22. BRUTAL ROBBERY.--UNION HALL.—Mary and Jane Ashley, mother and daughter, were brought up in custody, charged with committing a robbery, in a dwelling house, under the following aggravated circumstances:—

Mr. Sims, a tradesman living in Cottage-green, Camberwell, stated, that on Friday last, his wife and sister, and two other persons, named Male and Gregory, all residing

under the same roof, were attacked with cholera. He was seized with the same disease himself, when the other patients were fast approaching a state of collapse, and his medical adviser recommended him to quit the house, and proceed to that of a friend in the neighbourhood. He submitted to this advice, but, before going away, he engaged the two prisoners to nurse and attend upon the patients, and they promised to do so, at the same time, engaging to look after the property during his absence from home. The whole of the patients, including his wife, died; and, scarcely had this event taken place, when the two prisoners, mother and daughter, commenced ransacking the house, and packed up, in bundles, the clothes which belonged to the deceased persons, and conveyed them away off the premises. Clifford and Heath, the two bea-dles of Camberwell, were chiefly instrumental in the discovery of the robbery, for, subsequently to the death of so many inmates in one house, of such a disease, the parochial authorities gave instructions to have the premises fumigated. It was in the exercise of this duty, that the two bea-dles ascertained that the two women employed as nurses, to attend the dying, had plundered the house; and, on the daughter being taken into custody, a coral necklace, which was around the neck of Mrs. Sims when she expired, was found in the possession of the younger prisoner, who had transferred it to her own. Mr. Sims identified several articles belonging to his late wife, chiefly consisting of dress, and which were found in the house next door to that where he lived.

Sarah Johnson, a little girl, stated, that her parents lived next

door to Mr. Sims's house, and that on Saturday last, the prisoners called her, and gave her a bundle over the palings which separate the two houses, saying that they contained clothes belonging to the people who died in the house, which were given to them (the prisoners), and they requested her to take care of them until they called. The witness added, that she apprised her parents, who were out at the time; that they blamed her for taking charge of the bundle, and afterwards gave intimation of what had occurred, to the parish beadle.

The prisoners, in their defence, said that they took the clothes under the impression that they would have been committed to the flames, when the beadle commenced fumigating the house, and they thought, rather than that things which were useful should be burnt, they would convert them to their own use.

They were committed for trial.

27. A REVENUE CUTTER RUN DOWN BY A FRIGATE.—A frightful accident occurred off Dover, at a quarter past six this morning. The *Chameleon*, a very large revenue cutter, was lying-to about half-a-mile from the shore, when the *Castor* frigate, coming from the Downs to Portsmouth, ran her down. A more extraordinary accident never occurred. It was broad day-light. The frigate must have had the cutter in full sight for seven miles, and she bore straight upon her, under her topgallant-sails, going with a northerly breeze, from twelve to fourteen knots an hour, took the cutter full midships, and drove her to the bottom in an instant, with scarcely a shock to herself. Thirteen of the crew of the *Chameleon* were drowned, two men and two boys were saved.

A court-martial found the lieutenant of the frigate guilty of negligence; and he was dismissed the service.

— DESTRUCTION OF A CONVENT AT CHARLESTOWN.—(*From the Boston Morning Post.*) — For some days, in the beginning of August, a rumour had prevailed in Charlestown and its vicinity, that a young lady, placed in the Catholic convent as a candidate for the veil, had been secreted or abducted, through the machinations of the controlling agents of the establishment. This caused a great excitement; and open threats of burning down the convent were uttered, but scarcely credited, till ten o'clock on Monday night, when a large mob collected round the institution calling out "Give us the figure head;" meaning, probably, the superior, and communicated to the inmates the design to carry their threats into execution, and gave them a certain time to retire. At this moment the convent contained twelve nuns and fifty-seven female scholars, some of whom were of a very tender age. At the first annunciation all, or nearly all, the nuns swooned, and were not aroused to a sense of their dangerous situation, until the heralds of destruction returned, and reiterated their message with threats of burning the nuns with the building.

The unfortunate ladies then retired to the garden, carrying with them such articles of value as were within reach. In order to accelerate their flight, tar barrels were brought near to the walls and ignited; and, as soon as the building was deserted, the assailants entered with flaming torches, which were simultaneously applied at twenty different points, among the curtains and drapery of the rooms,

The interior of the institution was instantly enveloped in one general conflagration. The astounded refugees first gathered round the tomb, at the bottom of the garden, but were soon driven from this sanctuary, and compelled to fly to the adjoining fields and neighbouring houses for safety. The mob burst open the tomb, and ransacked the coffins, but retired without offering other outrages to the ashes of the dead. The torches were applied, about eleven o'clock, and the Boston engines immediately repaired to the spot, but were prevented from acting against the fire, by the surrounding multitude, which was not less than 4,000 in number. The rioters did not cease from their exertions, till the main building, together with the chapel, and outhouses, and even the gardener's dwelling, were entirely destroyed. The few articles, that the nuns and scholars succeeded in conveying to the garden, were seized and thrown back into the flames. When the outrage was thoroughly accomplished, fragments of fire and combustibles were collected, and a bonfire lit up as a signal of triumph.

31. CANONIZATION OF A SAINT. —Rome enjoyed the ceremonial of the canonization of a saint. Sebastiano Valfri was the individual thus honoured. He was born on the 9th of March, 1629, at Verduno, in Piedmont, and died at Turin in 1710, at the age of 81 years. He is said to have performed many miracles, both before and after his death, on which account he was deemed worthy of being ranked among the Saints by the congregation of Sacred Rites, on the 6th of April, 1831. The Devil's Advocate, being unable on this occasion to overthrow the ar-

VOL. LXXVI.

guments adduced by the advocate of the Saint, the canonization took place on the 21st of August. The church of St. Peter was richly and tastefully ornamented, and thousands of wax-tapers were lighted; the whole at an expense of 100,000 crowns. Over the chief entrance of the Church was the portrait of the Saint, with three heretics, disciples of Luther and Calvin, whom he had just converted. In the church were placed two paintings, representing women miraculously restored from severe illness, merely by looking at the holy priest. In the back ground he was pictured in the act of ascending into heaven. At the moment of its being uncovered and exposed to the view of the assembled congregation, discharges of cannon resounded. Similar solemnities took place at the Church of St. Filippo Neri, where the new saint had officiated. The fronts of the churches were splendidly illuminated, and the day was closed with music and fire-works. The saint had been confessor to duke Victor Amadeus, afterwards king of Sardinia, and by his oratorical powers had brought many infidels into the bosom of the Catholic Church.

SEPTEMBER.

THE LORD CHANCELLOR AT INVERNESS.—(*From the Inverness Courier of Sept. 8*)—Shortly after 5 o'clock lord Brougham entered the northern meeting rooms, accompanied by the magistrates, for the purpose of being presented with the freedom of the town. After the ceremony had been gone through, lord Brougham returned thanks. He was conscious, he said, that it was not owing to any per-

K

sonal merits that he had received this mark of distinction at their hands. First of all, he owed it to the circumstance that he had the honour of serving a monarch who lived in the hearts of his subjects. He had enjoyed the honour of serving that prince for nearly four years, and, during that time, he had experienced from his majesty only one series of gracious condescension, confidence and favour. To find that he lived in the hearts of his loyal subjects in the ancient and important capital of the Highlands, as it had afforded him (lord Brougham) only pure and unmixed satisfaction, would, he was confident, be so received by his majesty, when he (lord Brougham) told him, *AS HE WOULD BY THAT NIGHT'S POST* (cheers), of the gratifying circumstance. His lordship concluded an eloquent speech amidst loud cheers.

6. OLD BAILEY. — Thomas Goodwin, a letter-carrier, aged 32, Benjamin Swaby, alias M'Sweeney, a clerk, and John Ward, a boot-closer, were capitally indicted, the first for stealing, and the others for receiving, a General-post letter, containing three 500*l.* bank notes, and seven bills for 4,500*l.*, the property of Messrs Walker and Co., bankers, Rotherham.

The fact of the money having been put into the Post-office at Rotherham, inclosed in a letter, on account of earl Fitzwilliam, its transmission in the mail bag to the London Post-office, and its non-arrival at the place to which it was directed, were proved.

John Hinton proved, that he was a clerk in the General Post-office, and that, on Monday, the 2nd of June, the Rotherham mail-bag arrived safe in the usual manner. He compared the paid letters

with the accompanying ticket, and found them correct.

Frederick Holland Cotton deposed, that, on the morning of the 2nd of June, he was the sorter of the paid letters and franks for the 6th division, in which Messrs. Snow's banking-house was situated. If witness had received any letter for that firm, he would have sorted it to the Essex-street walk of that division. Thomas Boyden was letter-carrier of that walk, and to him witness would have given the letter. The course of business would have been for him then to take it to his own desk to arrange it with his other letters. The prisoner Goodwin was the letter-carrier of the Wyche-street walk of No. 5 division, and his seat in the Post-office was next to Boyden's, on Boyden's left.

Thomas Boyden corroborated the statement of the last witness, as to the position of his seat and desk in the office. He also proved, that as Messrs. Snow and Co. had their letters forwarded by the early delivery, he should, according to his habit, have sorted their letters to his left side (that next the prisoner Goodwin), who, during his absence fetching other letters, could easily have abstracted it, especially as Messrs. Snow's letters would be at the top of the pile, their house being at the commencement of his walk. The witness described the plan of the partitions between the desks, and showed the facility with which the letter might have been taken by the left hand man, while it would have been difficult for the right hand man to have done so. In the course of business it would have been his duty to have handed these letters to James Powell for the early delivery.

Several other witnesses were

examined, whose evidence went to prove the nature of the business at the Post-office.

G. Ruthven, a Bow-street officer, deposed to being, on the 19th of June, in Parker-street, Drury-lane, and saw Ward and M'Sweeney come out of a public-house, with an old man, who left them; he set a person to watch them. On the following day he saw the two prisoners go into the Queen's Head, Strand. On coming out, he followed them to a private house in Crown-street, Westminster. They came out, and went into a gin-shop in King-street, and afterwards to the Plough, Beaufort-street. He then laid hold of M'Sweeney, and took him into the parlour, when he asked him what he had. He replied "I will show you;" and he then took out of his pocket a half-crown, a shilling, and a sixpence. Witness then put his hand into the left-hand breeches pocket, and took out the 500*l.* note now produced. On searching Ward, he found part of the Times newspaper, containing 100*l.* reward for the recovery of the property. The prisoners then looked at each other, when M'Sweeney said, "It is all up with us. We are done; and you are a d—d bad one up to the back." Ward replied, "It is not me; it must be the old one." Witness then sent for Leadbitter, and both the prisoners were taken to Bow-street, and locked up. In the afternoon of the same day, witness, accompanied by Leadbitter and a gentleman belonging to the Post-office, of the name of Bodenham, went to the house No. 20, Crown-street, Westminster, and searched it, but found nothing. The house was occupied by the prisoner, M'Sweeney's sister, and her

husband. On their return they met the prisoner Goodwin at the end of Downing-street. He was pointed out to witness by Mr. Bodenham, who said, "I wonder where he is going?" They followed him to the house, No. 20, Crown-street, and found him in the room on the first floor with M'Sweeney's sister and her husband. Mr. Bodenham said, "Goodwin, I am sorry to see you here." Goodwin said, "Yes." His brother-in-law Macilwain, added, "It's a bad job." Nothing further particular was said, and the prisoner Goodwin was brought in custody to the office at Bow-street. Subsequently witness took M'Sweeney in a coach to Tothill-fields prison. His sister and her husband went with them, and a conversation ensued in the coach on the way. The sister was very much affected, and pressed M'Sweeney to tell the truth, as he could not be the principal. M'Sweeney replied, "No, I am only the go-between, they have not got the right man yet." On his brother-in-law still further pressing him to disclose, M'Sweeney said, "How can I look the world in the face again, if I betray my friend?"

George Leadbitter, a Bow-street officer, corroborated the evidence of the last witness.

Mr. Bodenham, clerk in the Post-office, stated that the prisoner M'Sweeney was apprehended on the 29th of June. His friends urged him very much to tell whom he got the note from; prisoner said, "No; you would have a much worse opinion of me then, than you have now." M'Sweeney said, he would rather die than betray his friend. Goodwin was in the Post-office until apprehended.

Miss Cole was the lady of the house in which Goodwin lodged;

when M'Sweeney came to see him, he always called him his friend.

This closed the examination of witnesses for the prosecution.

The prisoners severally protested their innocence. M'Sweeney addressed the jury at some length.

Several respectable persons bore testimony to the good character of M'Sweeney, and the other prisoners.

The jury, after an hour and a-half's deliberation, returned a verdict of *Guilty* against all three, but strongly recommended Ward to mercy.

8. BRITISH ASSOCIATION FOR THE PROMOTION OF SCIENCE. — The fourth Annual Meeting of this Association commenced at Edinburgh on Saturday, Sept. 8th. The president of the meeting was sir Thomas Brisbane; the vice presidents, sir David Brewster, and the Rev. Dr. Robinson, astronomer-royal of Armagh; the secretaries, J. Robison, Sec. R. S. Ed. and professor Forbes. The following were the sections into which the business was divided: — 1. Mathematics and Physics; 2. Chemistry and Mineralogy; 3. Geography and Geology; 4. Anatomy and Medicine; 5. Natural History; and, 6. Statistics. The great hall of the University Library was thrown open every morning at ten a. m. as the general rendezvous of the members; and the different sections met simultaneously at eleven in the class-rooms of the University. The evening meetings were held at eight o'clock in the Assembly Rooms, George-street, when the subsidiary rooms were devoted to lectures, and the exhibition of experiments, models, &c. The tickets issued to the members gave them access to all the principal public institutions of

Edinburgh. A committee had been sitting during the preceding week; and as the inhabitants applied, and distant members arrived, they were enrolled in the list of the association. In this manner, at four o'clock on Saturday, 455 names were on the books, including professor Arago, of the French Institute, professor Moll, of Utrecht, Dr. Jacobson, D. Vlastas, from Greece, M. de la Rive, of Geneva, MM. Andifreddie, Berardi, and others. The enrolment of members proceeded all the early part of Monday, and at half-past five, ordinaries were opened at the Hopetoun Rooms and Fadeuilhe's Café. At the former about 350 persons sat down to dinner. Mr. Sedgwick, the president of last year, was in the chair, sir T. Brisbane, the president elect, on his left, lord Greenock on his right; Arago, Dalton, Murchison, Buckland, Daubeny, and other men of eminence were near them.

After dinner, Mr. Sedgwick informed the company that it had been agreed to omit speech-making at these repasts; he, however, proposed "the king," as a toast, which was drunk with applause. He then gave "Prosperity to the British Association," and dwelt upon the benefits to science which he anticipated from its continuance and efforts. His third and last toast was a compliment to M. Arago, the astronomer-royal of France.

After dinner the meeting was formally commenced in the Assembly Rooms, which its proprietors had fitted up with great taste, and placed at the disposal of the association. There were present in the rooms about 1,200 members and 400 ladies. A little after eight o'clock professor Sedg-

wick came forward and addressed the meeting on the advantages of an association of this nature.

Sir Thomas Brisbane then took the chair, and briefly addressed the meeting. Mr. Robison, one of the secretaries, gave an account of the arrangements which had been made for the accommodation of the members, and the general order of the business of the week; and professor Forbes gave an outline of the different subjects under discussion, mentioning the names of the individuals by whom the reports, in their respective departments were, drawn up.

The following is an account of the labours of the several sections.

PHYSICS AND MATHEMATICS.
—*Tuesday.*—Dr. Lloyd, provost of Trinity College, Dublin, in the chair. Professor Whewell read the report of Mr. Challis, on the theory of capillary attraction.

Professor Powell read a paper on the repulsion produced by heat, as established by the contraction of Newton's rings, when heat is applied to the glasses; a letter from Mr. Hailstone was read, which accompanied a table of barometrical observations taken at short intervals; and a letter from Mr. Christie, containing an account of a remarkable meteorological phenomenon; all of which elicited various remarks.

Wednesday.—Professor Lloyd read a portion of his report on Physical Optics; professor Whewell, having read a paper from Mr. Challis, containing theoretical explanations of some facts relating to the composition of the colours of the spectrum, added some observations regarding sir John Herschel's explanation of dispersion according to the undulatory theory of light,

which, after professor Powell had read a paper on the achromatism of the eye, was discussed at considerable length.

Professor Phillips made his second report of the result of twelve months experiments on the quantity of rain falling at different elevations above the ground.

Professor Stevelly read a paper entitled, An attempt to connect some well known phenomena in meteorology, with well-established physical principles.

On *Thursday*, a sub-section was formed, of which Mr. Brunell was appointed president. At the principal section, Mr. Reonic presented the second part of his report on hydraulics, containing the application of the principles of that science to rivers, which he illustrated by the effects which the removal of old London Bridge had produced on the river Thames. Professor Hamilton then gave an account of his new method in Dynamics.

Professor Phillips communicated a paper on a new form of the dipping needle, constructed so as to correct the error of the centre of gravity.

Professor Lloyd gave an account of magnetical observations undertaken in Ireland, at the request of the association, and of a new method of observation which he has employed.

Dr. Robinson, V.P., stated some very great disadvantages belonging to the Edinburgh Observatory on the Calton Hill; recommending that the present building should be changed into a magnetic observatory, and the astronomical instruments taken to some more favourable position.

Mr. Saumarez read a paper on light and colours, containing his

peculiar views, on their nature and origin.

At the sub-section, which was formed for practical physics, Mr. Dent exhibited a chronometer with a glass balance spring, another with a pure palladium spring, and tables of their rates of going in several variations of temperature. — Mr. Adams described a sextant telescope of peculiar construction. Mr. Ramage exhibited a model of a projected reflecting telescope of greater magnitude and higher powers than any yet attempted. Mr. Cooper (M.P. for the county of Sligo) stated, that a reflecting telescope of very superior power had been constructed for him by Mr. Grub, of Dublin, at one-fifth of the usual cost. Mr. A. Gordon exhibited Maritz's modification of Fresnel's polygonal lens, and strongly recommended its adoption in light-houses, where parabolic reflectors are not indispensable.

The subjects introduced on the last day of meeting were very miscellaneous. Dr. Knight gave an account of the method of rendering the vibrations of heated bodies visible to the eye. Mr. Russell read an account of some experiments on the traction of boats on canals at great velocities. Sir D. Brewster detailed the result of some experiments on the effects of reflection from the surfaces of crystals that had been altered by solution. Mr. Graves presented a paper on the theory of exponential functions, illustrating one which he had previously printed in the *Philosophical Transactions*. Professor Hamilton explained a new method of contriving imaginary quantities, and the principles of a theory which he denominates "The Theory of Conjugate Functions." Mr. Lang stated the results of

some investigations which he had made on the nature of the curves described by vibrating wires fixed at one end, and exhibited drawings of the curves. Dr. Williams read a paper "On Sound." Professor Forbes described the sympiesometer, an instrument invented by Mr. Adie. Mr. Campbell gave an account of his views respecting antilunar tides. Mr. Dick explained a new construction of an achromatic object-glass for telescopes, and exhibited the instrument. The section concluded its labours with the reading of a paper, by Dr. Robinson, "On the Visibility of the Moon during a total Eclipse."

At the sub-section, Mr. Murray described an apparatus for communicating between a stranded vessel and the shore. Mr. Adams exhibited a new case of the interference of sound. Mr. Dick described a new suspension railway, which he illustrated by numerous drawings. Mr. Brunel exhibited a model, and described his method of constructing arches. Mr. Adie read a paper "On the Expansion of Stone:" and the rev. G. Tough exhibited a celestial glass sphere, exhibiting the sun, moon, and earth, and all their relative motions.

CHEMISTRY AND MINERALOGY. Professor Hope was in the chair of this section, and was occasionally relieved by Dr. Dalton. *Tuesday* was occupied with the discussion of certain experiments made by Dr. Daubeny on thermal waters, and the gases they evolve.

Wednesday. — Crystallography formed a prominent object of discussion. A paper of Dr. Charles Williams, on a new law of Combustion, was read. Dr. Daubeny read a paper on the relative heat-

ing powers of coal, tar, and splint coal, in which he showed that the tar might be used in fuel; but that it did not give much more heat than good coal. A paper was also read with regard to the destructive distillation of organic substances.

Thursday.—The most important part of the business of this day was a discussion on chemical notation, introduced by Mr. Johnston.

Friday.—The rev. Mr. Harcourt, secretary to the association, detailed some experiments of his, now in progress, on the effects of long-continued heat on certain bodies, and of the disposition of them under the iron furnaces in Yorkshire. He was followed by professor Clerk, who treated of the use of hot air in the smelting of cast iron, and gave some numerical results of the advantage of the new process; Dr. Christison, discussed the action of water on lead; and Dr. Graham, the constitution of certain hydrated salts. A paper of Mr. Kemp on the liquefaction of gases, showing how gas may be obtained in much larger quantities than before, was generally regarded as the most practically useful that had been laid before the section.

Professor Stevelly made a communication on applying a vernier to a scale, not of equal, but of variable parts; and particularly to the scale of Wollaston's Chemical Equivalents.

GEOLOGY AND GEOGRAPHY.—Professor Jameson took the chair of this section on Tuesday, and a very animated discussion arose on the subject of primary formations. A paper on the Geology of America was also read to the meeting.

On *Wednesday*, Mr. Stevenson's report on the change in the relative level of land and water, was

read; it was followed by other papers, one of which was by lord Greenock on the coal formation and strata of Scotland.

On *Thursday*, Mr. Nicol read a paper on the subject of the structure of fossil wood; and professor Traill, one on fossil remains found in Orkney, which gave rise to a very animated discussion.

On *Friday*, Mr. James Bryce read a notice of some bones found in a cavern near the Giant's Causeway, which seemed to prove that a geological examination of the north-east coast of Ireland would be attended with important results. A paper was also read on the geology of the Pentland Hills. Mr. Murchison read a paper on the fossil fishes found in the old red sandstone of England, and also in Forfarshire, and other counties of Scotland. Dr. Traill announced that the fossil fishes which he had brought from Orkney had been that morning inspected by M. Agassiz, who had discovered among them five new species. M. Agassiz also gave an account of certain fossils found in the quarries near Burdtehouse, which he conceived at first to be reptiles; but which were in reality fishes partaking of the character of reptiles.

ANATOMY AND MEDICINE.—The papers read in this section, over which Dr. Abercromby presided, were all of a strictly professional character; nor was there any thing popular connected with it, except the lecture delivered by sir C. Bell on the nervous system. It continued two days, but was little more than a *resumé* of what he had previously published on the subject.

NATURAL HISTORY.—*Tuesday* Professor Graham was in the chair.—A report, by Mr. Jennings, on

the recent progress and present state of Zoology, was succeeded by a paper by professor Hooker, giving an account of an excursion in Quito and Chimborazo, along with captain Hall. This paper was concluded on *Wednesday*, when, amongst other papers was one by Mr Brown relative to the anomalous character of several families of plants.

On *Thursday*, Mr. Selby read a lengthened notice of the birds obtained during an excursion in Sutherlandshire, and on the structure and use of the orbital glands. Sir W. Jardine read a paper on the various species of the genus *Salmo*, collected during the same tour, and exhibited the specimens and drawings. On this subject, some observations were made by Mons. Agassiz and Dr. Richardson, both of whom were of opinion that sir William had certainly established the existence of a new species. M. Agassiz made several important remarks, also, on the characteristics of the species of *Salmo* in the Swiss lakes. Mr. Trevelyan read a notice on the distribution of the phenogamous plants of the Faroe Islands. A paper was read by Mr. J. G. Dalzell on the propagation of Scottish zoophytes, illustrated by many beautiful drawings. Dr. Arnott read a paper on the *Coculus Indicus* of Commerce. Mr. Murray made some observations on his success in cultivating *Phormium Tenax*.

On *Friday*, Dr. Traill made some observations on a new species of thrush, found in Brabant. Mr. Pentland concluded his observations on the remains of what appeared to him to be an extinct variety of the human race, which had inhabited a district in South America, extending from the 16th to the

19th degree of south latitude. Sir David Brewster gave a luminous account of a remarkable structure in the webs of the feathers of birds for keeping the laminae from separating during flight.

STATISTICS. The presidents of this section were sir C. Lemon and col. Sykes. On *Tuesday* a paper was read on the population of Manchester, by Mr. Heywood.

Wednesday.—The consideration of Mr. Heywood's paper was resumed, chiefly in reference to the means of education provided for the lower classes.

Attention was next directed to the proportion of comforts possessed by the operative classes. The Messrs. Taylor offered to furnish full information respecting the miners in Cornwall and Wales. A paper of Statistics by Dr. Clelland, relative to Glasgow, was read, and led to a long discussion respecting the operation of the poor laws and Dr. Chalmers's reforms; and the difficulties that impede statisticians, from the present imperfect system of registration, were warmly commented upon.

A letter from professor Quetelet, of Brussels, stated, that in a work which he is about to publish, he has reduced the theory of population to mathematical formulæ, and that the equations by which it is represented are very similar to those that express the planetary perturbations.

On *Thursday*, an account was given of the mode in which the statistical survey of Scotland, now in progress, was conducted. Earl Fitzwilliam suggested more minute inquiries, such as the quantity of stock and implements of husbandry possessed by each farmer, and the proportions of his tillage and pasture ground, &c. Some discussion

ensued, and the general impression was, that such minute information is unattainable.

On *Friday*, captain Maconochie read a very able analysis of Guerry's 'Essai sur la Statistique Morale de la France.' Mr. Auldjo read a paper 'On the Statistics of the kingdom of Naples,' tending to prove that the prosperity of that country is increasing. After which the section adjourned.

THE EVENING MEETINGS.—The design of the meetings in the evening was to present some scientific subject in a popular form, so as to make it intelligible and interesting to ladies and ordinary visitors. On *Tuesday*, Mr. Taylor, the treasurer, stated the increase in the numbers of the association; 850 met at York, 700 at Oxford, 1,400 at Cambridge, and 2,200 at Edinburgh. After the chairman of the sections had reported proceedings, Dr. Robinson read a letter from professor Hunker of Hamburg, which was accompanied by an ephemeris of the track of the comet of 1682 and 1759, whose return is expected at the end of this year. The vice-president, professor Robinson, of Armagh, then gave an account of the progress of cometary knowledge, in which he was followed by professors Whewell and Hamilton.

After the chairman of sections had reported on *Wednesday*, Dr. Lardner gave a lecture on Babbage's calculating machine.

On *Thursday*, professor Buckland gave a lecture on fossil reptiles.

On *Friday* evening Mr. Whewell delivered a lecture on several interesting phenomena connected with the tides. At the last meeting of the association, the investi-

gation of this subject was pointed out as of vast moment, and the consequence had been, that, at Bristol, a society was formed for the purpose of carrying on these investigations,—Bristol, which was above all other places calculated for observations, as the rise and fall of the tide averaged from sixty to fifty feet. In order to prosecute the investigation of these phenomena, application was made to the Admiralty, to direct the coast guard service to make observations on the subject; and the officers of that service had shown an alacrity and zeal in the matter which was worthy of their character.

Professor Sedgwick at some length took a general review of the results of the labours of the geological and geographical sections during the week, in the course of which he detailed the relation which subsisted between the geological formations of the sister kingdoms.

On *Saturday*, the rev. V. Harcourt, the general secretary, read a report of the proceedings of the past week, and the objects to which it was desirable that the members should direct their attention during the coming year. Thanks were then voted to the officers of the University—to the Royal College of Physicians—to the proprietors of the Assembly Rooms where the meetings were held—and to other public bodies, for their liberality and kindness. Professor Sedgwick proposed, and the lord chancellor seconded, a vote of thanks to M. Arago, and the other distinguished foreigners who had attended the meeting, which was received with great applause. The president then addressed the meeting, congratulating the members on the result

of their labours, and announced that the next meeting would be held in Dublin, on the 10th of August, Dr. Lloyd, provost of Trinity College, Dublin, to be president, lord Oxmantown and professor Whewell, vice-presidents, professors Lloyd and Hamilton, secretaries.

9. SURREY SESSIONS — ROB-BING THE DEAD.—Mary Ashley, the elder, aged 44, and Mary, her daughter, aged 19, were indicted for stealing a silk cloak, a black veil, necklace, and other articles, the property of Thomas Sims and others, deceased members of his family. [See page 127.]

The prosecutor deposed, that his sister, who was residing with him, at his residence at Camberwell, on the 7th ult., fell ill of cholera, and, after eleven hours' agony, expired. Within an hour of his sister's demise, his wife was also taken ill, and the prisoner was called in to nurse her; but so severe was the attack that she died. Two others of the family died within twenty-four hours. In his grief, he resigned to the prisoner the full care of his property, and left the house. On his return, he was surprised to learn that she had been detected in robbing all those who were then lying dead in the house.

Clifford and Heath, the beadles, deposed to having heard of the deaths of so many persons in one house, and to their being desired by the parochial authorities to destroy the body-linen of the defunct, and to fumigate the house. They went thither for that purpose, and, upon their entering, the prisoner was about leaving the house. Being questioned as to what she had in her bundle, she gave such evasive answers, that they took her into

custody; and, upon examining the bundle, they found property which had been recently worn by the deceased persons.

The elder prisoner in defence said, she was removing the property to prevent contagion.

The chairman summed up, and the jury found the elder prisoner *Guilty*, and *Acquitted* the daughter.

The elder prisoner was then sentenced to seven years transportation.

— MURDER OF A WOMAN AND FOUR CHILDREN, AND SUICIDE OF THE PERPETATOR.—A man named Steinburg, a whipmaker, of No. 17, Southampton-street, Pentonville, murdered a woman, with whom he lived, and four children he had by her, and afterwards put an end to his own life.

The perpetrator of the murders was about forty years of age. About twelve months ago he took the house, No. 17, Southampton-street, Pentonville, as tenant at will, and carried on his trade in the usual manner. He was a German, and a few months ago he received intelligence of the illness of a relative living in Gazendorf, in Germany, to whom he instantly proceeded with his family, leaving his business under the direction of a young man who had worked with him for a considerable time. He took with him a girl named Harriet Pearson, who had been in his service previously. On Saturday afternoon last he returned from the Continent with his family and the girl, and again took up his residence in Southampton-street. He appeared cheerful, and exhibited his usual marks of affection towards his supposed wife and children. On the following day, the young man, whom Steinburg had left to transact his business, was discharged.

He was ordered to call on the Sunday evening for his clothes, &c., but this, it seemed, he had neglected to do. On Monday night, about eight o'clock, the family were sitting together in the kitchen, when the deceased, Mr. Steinburg, was very cheerful, and conversed affectionately with the supposed Mrs. Steinburg, with whom the servant never knew him to quarrel during the twelve months she lived with them. The servant, by his desire, fetched a pint of beer and a quartern of gin, and as soon as she had handed the liquor to him, he complained of being very tired, and said he would go to bed. At a little after half-past eight o'clock Mrs. Steinburg ordered the girl to go home and see her mother, telling her to come back at six o'clock on the following morning. Mr. Steinburg suggested that she should sleep in the house, but the girl, who was only fifteen years of age, preferred going to sleep with her mother, and she was allowed to leave the house. Next morning, at six o'clock, the servant arrived at her master's dwelling, and knocked at the door several times, but she received no answer, and went home again, thinking the family did not wish to be disturbed. She returned at nine o'clock, and continued knocking at the door until between eleven and twelve o'clock, when a gentleman, residing at No. 16 in the same street, conceived it to be very strange that she could get no answer; and concluding that Mr. Steinburg had left the house clandestinely to avoid the payment of rent and taxes, both of which were in arrears, hastened to Mr. Cuthbert, the landlord of the house, and acquainted him with the circumstance. They then proceeded to-

gether to the house, and being still unable to make any one hear, broke open a door at the back of the premises. On going into the kitchen, they were struck with horror at beholding Mr. Steinburg lying on his back, with his head nearly severed from his body. The kitchen and the whole of the deceased were covered with blood, and a large and long butcher's knife was lying by his side. He had nothing on his person but his shirt and drawers. They immediately called in one of the police, and proceeded up stairs to the bedroom in which the deceased usually slept with his supposed wife and infant, seven months old. Here Mrs. Steinburg, a fine-looking woman, twenty-five years of age, was lying on the floor in her night-dress, covered with blood, and her head nearly cut from her body. She was lying on her face, as if she had struggled and fallen out of bed, after she had received the wound. Her infant was lying at her feet, with its head completely separated from its body. The bed and bed-clothes were completely saturated with blood. The pillow was marked with blood, as if the deceased man had grasped hold of it to reach over for the infant, which, it is conjectured, he placed on the floor in order to cut off its head. On proceeding to the second floor, they found a small cot and a bed. In the latter, Henry Steinburge, a fine boy, four years and a half old, was found with his throat cut from ear to ear, and quite dead. A little further from the spot, Ellen, his sister, two years of age, was found by the side of the cot with her head almost severed from the body. This little creature was murdered by her unnatural father in the same manner

as the infant that slept with its mother. Henry slept in the same bed with his brother John, who was five years and a half old; and in an adjoining room, which had been used as a workshop, John was found on the floor with his head nearly severed from his body; he was otherwise horribly mutilated, and, to all appearance, must have struggled against the attack of his parent. It would seem, that when he was in bed with Henry, he had seen his father killing his brother and sister, and had jumped out of bed, and rushed into the other room. One of the poor little fellow's fingers was cut off the left hand, and was found about four feet from the body; and the flesh was cut off the top of his right shoulder, as if a dreadful blow had been aimed at him with the knife as he was endeavouring to avoid his father.

On the inquest, the above circumstances were proved. The following evidence also was given:—Frantz Langer deposed—I arrived in London on Saturday morning with Mr. Steinburg and his family. On Saturday morning last I and another person who was with me, called at different houses to inquire for Southampton-street, Pentonville. Where Steinburg lived, the man, who was with me, went to show me the way, and he advised me to get a parcel of goods which was in the possession of Mr. Steinburg, belonging to me, as fast as I could, as Mr. Steinburg was a swindler. I got the property, and I left the place, having received no invitation from Steinburg. I saw Steinburg again on Monday afternoon at four o'clock at the King of Prussia public-house, in Lambeth-street, White-

chapel. He] called again in the evening, when he (Steinburg) threw himself into all sorts of attitudes, and said he was ruined, and that he was almost mad. During the voyage he was thought to be almost insane. He complained of having lost a law suit which cost him 200*l*.

Samuel Edward Steinburg, a young man about nineteen, son of the deceased, Nicholas Steinburg, deposed, that he had not seen his father for years. He has seen the bodies, and identified the bodies of his father and Ellen Lefevre, the deceased, with whom he cohabited. She formerly lived as servant in the family. The separation between his father and mother took place seven years ago in consequence of his connexion with Lefevre. His father was very easily excited, and had beaten witness and his mother severely. He once attempted to get a rope to hang her. He believed him to be at times insane. Witness was their only child.

Brockhart Brunish, whip-maker, deposed that he had known the deceased (Steinburg) two years. On Monday afternoon he made an appointment to meet the deceased on Monday night last, at eight o'clock, to take away his clothes and receive some money. The deceased looked very pleased. Witness did not go according to the appointment, as he feared that the deceased would have an officer in readiness to give him into custody for neglecting his work. In the evening, about nine o'clock, witness went to Southampton-street, to leave an umbrella belonging to the deceased, but determined not to go into the house of the deceased, but to leave it with the servant, next door. On passing by the house, he saw a

light in the kitchen, and thought there was one in the drawing-room. The deceased was very kind to his wife and children. He beat the children, when it was necessary, with a whip. Witness never received two sovereigns which the deceased owed him. His sister invited him to Germany, and then charged him for his board and lodging, after he had lost his law-suit.

The verdict was, "That the deceased, Nicholas Steinburg, did wilfully murder Ellen Lefevre and the four children, and that he, Nicholas Steinburg, was *felo de se*."

15. GRAND DINNER TO EARL GREY AT EDINBURGH. — Earl Grey arrived at Dalkeith at eleven o'clock this morning. The earl and captain Grey were seated in one carriage, which was followed by another, containing the countess Grey and her daughter, lady Georgiana. His lordship was accompanied by sir T. D. Lauder, sir J. Dalrymple, M.P., and several other gentlemen of distinction. He was received at a short distance from the town by the societies of weavers, hammermen, skinners, curriers, tailors, dyers, gardeners, candle-makers, and youths, who moved in procession, preceded by the Dalkeith harmonic band, and escorted him into Dalkeith. There hustings were fitted up in front of the Cross Keys Inn, which Earl Grey ascended, in order to receive the address of the inhabitants. After his lordship had partaken of a cold collation, the procession moved on towards Edinburgh, and arrived at the Lord Provost's house, at twelve o'clock. Having taken a slight refreshment he returned to his carriage and drove on, accompanied by the Lord Provost, to the Waterloo

Hotel, upon Regent's-bridge. The Lord Provost presented him with the freedom of the city of Edinburgh.

The dinner took place in a temporary edifice, which had been erected for the purpose in the area of the High School. Arrangements had been made by the stewards for the admission and accommodation of upwards of 1,500 persons, while those, who could not dine in the Pavillion (upwards of 600), dined in the large room of the High School, and were admitted immediately after the dinner was removed, and before any toast was given. At four o'clock the admission to the Pavillion, according to previous arrangement, commenced, and by five o'clock every table in the apartment, with the exception of that intended for the chairman and the guests, was fully occupied.

The dinner, being a cold one, and, therefore, already laid on the tables, offered an irresistible temptation to the persons admitted; for as soon as they were seated, and long before the appearance of the chairman, there arose an almost universal clatter of knives and forks, and a general demolition of the eatables was vigorously commenced. This proceeding elicited some disapprobation. Hisses arose from different parts of the room; and a gentleman having ascended one of the tables, entreated the company to desist from mastication, until the chairman had taken his place. But his appeal was fruitless, at least to the majority of his auditors; on went the work of demolition, and, in fact, by the time the chair was taken, and the dinner regularly commenced, the eating was really over. The appear-

ance of the room, when the whole company had taken their places, was very imposing. On the platform, besides the great guest of the festival, were lord Brougham, lord Rosebery, the earl of Errol, lord Lynedoch, lord Bellhaven, lord Durham, sir J. C. Hobhouse, Professor Arago, the Solicitor-general, sir J. Abercromby, the marquis of Breadalbane, lord Stair, &c.

Lord Rosebery took the chair in the absence of the duke of Hamilton, who had excused himself from attending.

The lord-advocate was croupier, supported by lord Dinorben and the attorney-general.

After the cloth was removed, and the usual loyal toasts given, the earl of Rosebery proposed the health of earl Grey.

The noble earl returned thanks as follows:—My lords and gentlemen, I beg you to believe that it is not the mere usual phrase and the ordinary and common-place introduction to a speech upon an occasion like the present, when I say that I feel myself entirely and completely inadequate to express all the feelings of satisfaction, of gratitude, and, let me add, of pride, for the honour you have done me. Gentlemen, the circumstances of this meeting are indeed so overpowering, as to leave it almost impossible for a person so intimately and so deeply affected by them as I am, to do justice to the feelings which I must entertain, but which I find it impossible adequately to express. My noble friend has told you, that this meeting is an unparalleled one. I believe, indeed, that there is no example of anything of the kind to be found, when we consider the occasion which has produced this great as-

sembly—when we consider the numerous and intelligent persons of which it is composed—when we consider the place in which it is held, the metropolis of the ancient kingdom of Scotland, no less famed for its generous love of liberty than for its general intelligence—for its cultivation of the arts of peace—for its distinction in literature and science—and, above all, for that superior, cautious, and reflective sense, which, without at all diminishing the energies of the popular feeling, directs it in a course of prudent and peaceable measures to the attainment of useful and legitimate objects. Gentlemen, this assembly is further calculated to make a deep impression for the reason stated by my noble friend—that though brought together here more immediately to do me honour to a degree of which I wish I could feel I was worthy, it is to be considered as much more valuable as having assembled here persons actuated by one common feeling to support that liberal line of policy, and that system of government, which is calculated at once to secure to the people their just rights, and to all the branches of the executive its necessary authority. There is, gentlemen, another reflection peculiarly affecting myself, which presents itself to me on this proud occasion—namely, that this most gratifying of all honours is not paid to a minister newly raised to power, in the vigour of his age, with a long career of active and useful services before him, and holding out an expectation to others of official benefits, not yet conferred: no, gentlemen, this proud mark of distinction has been given to a minister who has descended, I will not say, has fallen

from power, whose official life has ended, whose long parliamentary career is hastening to a final close—(general cries of No, no, no.)—to one when the balance has been struck between his promises and his performances, to one when the past is before his country for its judgment, and the future, as far as he is concerned, presents no object either for hope or for fear. Surely I may be allowed to indulge in a just and reasonable pride, approaching, I think, in no degree to vanity or presumption, when, upon this occasion, I find pronounced in an assembly such as I see before me, that I have deserved well of my country. My noble friend has alluded to the great question of parliamentary reform, and even if he had not adverted to it, it is so intimately connected with the object of this day's meeting, that it would be absolutely impossible for me not to advert to it shortly. I certainly concur with him in thinking that to no part of the United Kingdom, so much as to Scotland, was parliamentary reform necessary. In England, though with defects which required correction, and for the correction of which the public called in a voice that could not be misunderstood or resisted—in England, I say, though with defects that required correction, still there was a representation in some degree popular, and not altogether inaccessible to the influence of public opinion; but in Scotland the name of a representation was a mockery and an insult. The representation, that had existed in Scotland, was no real representation: it had no connexion with popular influence or opinion; and the periodical elections that then took place, though they were pre-

tended to be an exercise on the part of the people of their rights and influence, were in substance and effect an utter denial of their rights, enjoyed to no useful purpose, and imparting none of that influence to the popular branch of the community which was so essentially necessary for the purposes of good government or representation. If, gentlemen, by any efforts of mine, begun at an early period of my life, suspended when I saw no hope of success, and when by pressing them I thought I might rather injure the cause of reform—if, gentlemen, I have been at last the humble instrument in the hands of Providence, and supported first by the confidence of a gracious sovereign, to whom the people owe a debt of gratitude which they never can pay, but by that general tribute of affectionate loyalty to which he is so fully entitled;—if, I say, I was enabled, first by the confidence of a gracious prince, and next by the support of the people, to accomplish the attainment of that great cause, I desire that no better remembrance of me should descend to posterity, and that no better inscription should be engraved on my tomb, than that I assisted in restoring to the people of England and Scotland the fair and just exercise of their rights in the election of their representatives. In no part of the kingdom was that support, which enabled me to carry that great work through, more effectually or cordially given than in Scotland, and in no part of Scotland was there greater firmness, zeal, and moderation, more beneficially and usefully exerted, than in the city in which we are now assembled. Proceeding on the same principles as those on which

parliamentary reform was founded — namely, the principles of strengthening and preserving the settled institutions of the state—proceeding, I say, upon those principles, we shall have the power of effecting such further improvements as the necessities of the times may render expedient, and in doing that I am sure that I need not say to such a meeting as this that we should carefully abstain from pressing any extreme or violent changes. I have the assurance that we shall not do so from the response made by you to the expression of that sentiment and from every thing I have seen and heard in my progress to attend an invitation sent in so flattering a manner to me to meet you here this day — throughout that progress I have found, here and everywhere else I have passed through in Scotland, not only a zealous attachment to the cause of liberty, but also a firm attachment to the true principles of our mixed government. I have found everywhere in my progress through Scotland, men “who know their rights, and knowing dare maintain them” — men who prize liberty above all things, and who, in its defence, if need were, would “do or die,” but who, at the same time, are impressed with this great truth, that, for the sake of liberty itself, the peace and order of society and the authority of the laws must be sustained, and the just powers of a regular and beneficial government duly supported. I am sure that those sentiments prevail in the great body who supported and assisted in the great work of reform. Those sentiments I hope will always animate the hearts of those who at that time assisted me in accomplishing that which I thought

the interests of the people required. We have lived in extraordinary times, we have accomplished that which will secure the just rights of the people: but in the accomplishment of that great work strong passions were on all sides excited, which could not be expected all at once to subside. On the one hand the impatience of abuse inspired many with too heedless a desire to effect greater and more extensive changes than necessity required, and perhaps to push even salutary reform with a dangerous precipitation. On the other hand, there were those with whom power long possessed, now lost or curtailed, had left feelings of bitterness behind, producing opposition to the most generally expressed wishes of the people. I trust that the passions, which have been excited on both sides, will speedily subside, and I rejoice in the hope to see those feelings, succeeded on the one hand by the good sense of the people, controlling excesses or violence, and on the other hand, a necessary, though perhaps a late, conviction as to the necessity of inquiring into, and ultimately as to the necessity of correcting, such abuses as the wants of the age, and the increased intelligence of the times, require to be removed. That is a hope that I will cherish, notwithstanding many things that have passed of late—notwithstanding the frantic declarations that we have recently heard made, not only on the other side of the Irish Channel, but even in this country, from men who would drive us to a destructive and fatal conflict—from men “who know not what they do,”—from men who do not see that even a temporary success on their part (a thing that would be utterly impossible)

would not fail to entail consequences ultimately fatal both to themselves and to the constitution. On what hope is this desperate courage, if courage it can be called, founded? I am told that a reaction has taken place. It is pretended by those persons that a change is at hand; and indeed many of them will tell you that such a change has already taken place in the public opinion; that those who had engaged in the cause of reform see reason now to repent their error; that they have renounced their former opinions, and that they are ready to regret those reforms which have already occurred. "Reaction!" vain and deluded men! In what, let me ask, is it that they see symptoms of such a state of things? Is it in the approbation which has followed me, and which has been so generously extended to me by my countrymen since my retirement from office? Is it to be found in those expressions of regard and attachment which I have met with in every step on my way to this place? Is it to be found, lastly, in the meeting of this day, which, whatever the vain imagination of some men may suggest to them as to a pretended reaction in the public mind, would never have taken place, if it was not the result of a general feeling in favour of reform? No, gentlemen. Of the good sense and moderation of the people of England and of Scotland—of their attachment to a king who so well deserves all their love—of their sincere conviction of the wholesomeness of that form of government, the work of a thousand years by which a larger share of liberty is now secured to them than was ever known by any other nation in the world—of a peaceable and orderly disposition amongst the peo-

VOL. LXXVI.

ple—of all these things we may find symptoms enough every where evident to all, except to those persons to whom I have been alluding, and who are not, or will not be convinced of any thing that runs counter to their prejudices; but of a "reaction"—of the advent of that *millennium* so ardently desired by them—of the restoration of that happy state of things when corruption flourished, and when liberty was oppressed—of a reaction of that nature I am sure that, if those persons will look at any part of the country, and take any meeting, great or small, as a sample, they will find no symptoms which any rational man would regard as a proof of a reaction in the public mind. Gentlemen, I do congratulate myself and the country on the happy termination of that contest which has given to the people of England and Scotland the means of all useful improvements, and relying upon which I am persuaded they will never be misled or driven into any violent courses. There are many topics which, upon an occasion of this kind, it would give me pleasure to enter; but it cannot be necessary in an enlightened assembly like this, for me to suggest what must be anticipated by all, and I feel that I have already trespassed upon your attention longer than the occasion warranted, and certainly quite as long as my strength will permit. As I have already stated, any merits that I can advance, any just pretensions that I can put forward to entitle me to the distinguished honour which you have conferred upon me, and for which a deep sense of gratitude shall remain indelibly impressed upon my mind, consist in my having been the instrument, supported by you all, in carrying a

L

measure which will be sure to accomplish all that is necessary to the complete enjoyment of that free system of government, the essentials of which you had already possessed. Gentlemen, before I sit down, I beg leave to propose a toast peculiarly appropriate to this occasion, connected as it is with the creation, and the beneficial exercise of those powers, which the constituency of Scotland has gained. I beg to propose to you to drink "the new constituency of Scotland."

The toast being drunk, the next was—"the Lord-chancellor, and his majesty's other ministers."

In returning thanks, lord Brougham, after eulogizing the useful reforms which had been accomplished during the session, proceeded to comment on the complaints of those, who alleged that enough had not been done. "We shall go on," said he, "in our course, heedless of the attacks of these hasty spirits; for they come from men of much honesty, of hasty zeal, but of no reflection at all. They would travel to the object which they have in view, but they are in such a hurry to get at the goal three minutes before me, that they will not wait to see whether the linchpin is in the wheel. They would hurry their vessel into the wished-for harbour by the nearest, and not by the regularly frequented channel; but they do not inquire whether there is a compass on board, and so they run their vessel into the breakers. They raise a scaffold, they build a house, they rear a massive pile; all they care for is the look and appearance of the edifice; and they do not stop to see whether there are partitions for rooms to live in. They will not use the plummet and the line, and therefore it is possible

that the first story may tumble some fine morning about their ears. I wholly respect the good intentions of these men; I acquit them entirely of all blame of that description; I make to them my most respectful obeisance: but when they ask me to get into their carriage, I must decline to accompany them—when they ask me to sail in their vessel, I must insist on staying on shore—when they ask me to enter into any building of theirs, I shall not only not enter, but shall also stand at a respectful distance from it, for fear it should make an experiment, which I do not wish to see tried either on their heads or mine,—I mean an experiment as to the relative resistance of the two bodies. These, then, are not wise counsellors to listen to, these are not safe guides to follow, these are not fair judges of the merits of any British statesman. I would go on more deliberately than they would, I would have my vessel more ready and better provided for its voyage, I would use the plummet and the square, I would build according to rule and compass, and I would not run up that sort of edifice which at best can never be more than a shell, if it does not tumble, even whilst building, about their heads; and I would go safely and surely to work, until I had provided everything that was necessary to enable me to build with safety. If I differ with these persons, not doubting their honesty, but distrusting their zeal, I only differ with them as to the pace at which we are to travel; as to the direction we are to go in, we mutually agree."

In the course of the evening, the lord advocate proposed the health of the earl of Durham and the reformers of England. In

returning thanks, his lordship took an opportunity of repelling the Chancellor's attack on that section of ultra reformers of which lord Durham was deemed the head. "My noble and learned friend (lord Brougham) has been pleased to give some advice, which, I have no doubt, he deems very sound, to some classes of persons—I know none such—who evince too strong a desire to get rid of ancient abuses, and fretful impatience in awaiting the remedies of them. Now I frankly confess that I am one of those persons who see with regret every hour which passes over the existence of recognised and unreformed abuses. I am, however, perfectly willing to accept the correction of them as deliberately as our rulers, and my noble friend among them, can wish, but on one condition, and on one condition alone—that every measure should be proposed in conformity with those principles for which we all contend. I object to the compromise of opinions, not to the deliberation of what they should be. I object to the clipping, and paring, and mutilating which must inevitably follow any attempt to conciliate enemies who are not to be conciliated, and who thus obtain an advantage, by pointing out the inconsistencies of which you are guilty in abandoning your friends and your principles, and attribute the discontent felt on this score to the decay or dearth of liberal principles. Against such policy, I, for one, enter my protest, as pregnant with mischief—as creating discontent where enthusiasm would otherwise exist—as exciting vague hopes in the bosoms of our adversaries which can never be realized,—and as placing weapons in the hands of those who use them to the

destruction of our best interests."

At half-past 12 o'clock, earl Grey, the noble chairman, the lord chancellor, and other distinguished individuals, retired amidst loud cheering.

16. ASCENT TO THE SUMMIT OF MONT BLANC.—Dr. Martin Barry and six guides, left the Priory of Chamouni at half-past eight, on the morning of the 16th September, and at noon entered upon the snow; crossed the Boissons Glacier, and saw some chamois. The fissures were found to be greatly widened from the lateness of the season. [The ascent being by a week the latest that has been made.] The dangers and difficulties were thus much augmented; large masses of ice were met with, over some of which it was necessary to climb, and the peril was particularly great in attaining the rock, called the Grand Mulet, where the party slept. Next morning, they proceeded, attached, as they walked, two or three together with cords, and cautiously trying every step with their batons. The fissures and blocks of ice now became even more magnificent; the difficulties were so great, that there was every prospect of having to return unsuccessful, and, but for a bridge of snow, by which they crossed an enormous fissure, they could not have proceeded. They breakfasted on the Grand Plateau, and saw the spot where the avalanche occurred during Dr. Hamel's attempt in 1820. Proceeding forward, great thirst was experienced. At one time they were oppressed by the heat, at another nearly frozen, according as their progress was rapid or retarded. On approaching the summit, so great was the exhaustion from the diminished density of the air, that only a few steps could be taken at a time, and the

doctor felt faintness and langour ; but, at length, his labours were repaid, and he stood on the highest point. He remained on the top an hour and a quarter. The party descended rapidly ; and on the way Dr. Barry was in imminent danger of falling through a hole of unknown depth, which had been covered with recent snow. They again slept on the Grand Mulet, rebuilding a little cabin, and returned next day, when the enterprising doctor was gladly greeted by his brother, Mr. J. T. Barry, who had ascended to Pierre de l'Echelle.

—DISGRACEFUL POPISH FRAUD.

—As soon as it was ascertained that Dr. M'Hale, Titular Archbishop of Tuam, was to remove from the diocese of Killala, he resolved on leaving to the pious inhabitants of that district a lasting evidence of love and regard. He accordingly selected a certain well in the vicinity of Mount Nephin, and blessing it in due and solemn form, endowed it with all the peculiar properties of the celebrated well at Bella ! The well at Bella is a " holy well," and is the grand and chief resort of thousands and tens of thousands of the peasantry, on certain " holy days," where, after ablutions and certain penances, as walking on the bare knees on sharp stones, &c., they are miraculously released from all the sins of the past year. Dr. M'Hale has blessed the new well at Nephin, and conferred upon it the same miraculous power ! He has still farther, in order to secure a due remembrance of his name, requested Mount Nephin may, in future, be known by the style and title of Mount Maronia. The reason for selecting this particular well, and endowing it, instead of others, with these miraculous privi-

leges, is simply as follows:—Dr. M'Hale is the son of a poor farmer who possesses some land adjoining this very well, and has a carman's stage upon the very spot ; and as the expected resort of the peasantry is always a very lucrative sort of concern to those who have farms, and such public-houses in the vicinity, he has taken this means of doubling the value of his father's land, while he confers so inestimable a benefit upon the pious frequenters of holy wells !

17. MOB LAW IN THE UNITED STATES. — The *Richmond Compiler*, of September 17, gives the following account of the destruction of gambling establishments in that town :—" We have this morning, to record an event that has spread through this city more unfeigned and general satisfaction, than anything that has come to pass for many a long year. Perhaps the first intelligence of those brilliant victories which, during the late war, added such immortal honour to our gallant navy, may have been received with the same enthusiastic delight ; nothing has occurred since that can be compared to it.

A little after nine o'clock on Monday night, a number of young men assembled together for the purpose of breaking into the houses of the gamblers, and destroying the instruments by which they carry on their illegal and ruinous practices. Their numbers rapidly increased, until, in a short time, they amounted to between three and four hundred. Roused by a sense of the deep injuries these men had inflicted upon the inhabitants of this place, and doubly excited by the intelligence of an assault made by a gang of black-legs upon a gentleman of this city,

they determined to lend their aid to the enforcement of the laws, and put down at once a band of outlaws, who lived by corrupting and destroying all whom they could seduce into their snare.

The young men, accompanied by the captain of the night-guard and eight of his men, proceeded a little after nine to the task which was before them.

Their first visit was to Shubert's, on the 12th street, and to the two adjoining houses, the one occupied by a gambler named Pucket, and the other belonging to some one whose name we have not ascertained; in these places they destroyed all the gambling apparatus they could lay their hands on.

2. They next entered the Profile-house, in the rear of the Eagle; here they destroyed three faro and other gaming tables.

3. From the Profile-house, they visited a gambling house kept by Rives, in Cary-street, over the second store from the corner of 12th-street, where they laid hold of two faro and roulette tables, which, with other gaming apparatus, were destroyed.

4. The establishment over the tailor's shop of Huston and Smith was next visited. This was fitted up in unusual splendour, and here also they succeeded in seizing many costly tables, which were rolled into the street and destroyed.

5. The house over Cotton's book store was next in order, and shared the same fate.

6. Over Selden and Ward's store a large establishment was broken up, and its tables, &c. destroyed.

7. The crowd then proceeded to a well-known establishment over Regnault's papering store, but the proprietors had received notice in

time to enable them to remove much of their apparatus. The little that remained was thrown out.

8. The Bell Tavern alley came next. Here, also, they were expected, and most of the furniture had been removed.

9. Returning up E street, they entered the new and splendid establishment in the rear of Earley's restaurateur, and succeeded in breaking many costly articles used in gambling.

10. Their last visit was to the establishment over Græme's store, and here they succeeded in breaking up several roulette, faro, and other gaming tables. They were prevented from sooner entering this house in consequence of the crowd, being assured that it was occupied by Mr. Græme's family; but, suspecting the information to be false, they entered the house from the rear, and discovered it to be one of the most complete and costly gaming-houses in the city.

The private property of the occupants of the houses was never injured, and the whole affair was conducted with the greatest decorum and quiet. Between five and six hundred packs of cards were thrown into the street, which, we are informed, the gamblers employed servants in collecting and destroying, that the people might not in the morning be too greatly excited by the sight. Spirits and wine were found in great quantities, but never touched. The gamblers had, excepting Fenwick Allen, notice early enough to allow them to escape. This individual, who had been the leader in assaulting a citizen, was traced to a house of ill-fame. Hearing the approach

of the crowd, he endeavoured to escape by the roof; but three or four individuals followed him by the same window from which he passed, and arrested him on the roof. He was delivered over to the guard and safely lodged in the cage.

Such of the furniture as had been saved was burnt by order of the mayor, in E street, just above the Eagle. Allen was bound over in a penalty of 500 dollars (with a security in a like amount) to preserve the peace, and not to play at cards for twelve months."

22. OPENING OF THE LEEDS AND SELBY RAILWAY.—This day the opening of the railroad from Leeds to Selby took place.

The early hour of six o'clock in the morning was named for starting from Leeds, in order to reach Selby in time for the Hull and Selby packets, which usually leave at eight in the morning.

Only one engine had been launched. It was of eighteen horse power, and was called the "Nelson." To this were attached three of the first class carriages, and six carriages of the second class, the former carrying eighteen passengers each, and the latter twenty-four. The requisite preparations having been completed, a start was made; but, the rain having rendered the iron tram-rails so slippery that the wheels of the engine turned round at times without any sensible locomotion, only two miles were completed in a space of forty minutes. It was, therefore, thought advisable to lessen the drag of the machine as much as possible; and with that view the passengers, who occupied the six second class carriages, were stowed into five of them, and the sixth was left behind. The engine,

however, proceeded at the same slow pace for some time longer, amidst the jeers and laughter of the bystanders, who called to the police officers and other attendant upon her, to put their shoulders to and push her along. The first four miles occupied an hour and ten minutes; but the next two miles were done in fourteen minutes. The weather then cleared up; and, after stopping three minutes near the Garforth viaduct, to regulate the steam, the engine shot away with her load, and did the remaining fourteen miles in forty-two minutes, being at the rate of twenty miles an hour. The estimated distance between station and station is twenty and a-half miles, which was run in two hours and twelve minutes, including the stoppages.

Shortly before eleven, preparations were made for returning to Leeds at that hour, according to the original intention. At ten minutes past eleven, the arrangements having been completed, the train set off on its return, crowded with passengers, under a similar salute to that which greeted its arrival. The first seven miles were run in twenty minutes, after which the pace was slackened a little, in consequence of the plane ascending. The next six miles were done in thirty minutes, and after a stoppage of five minutes near the Garforth viaduct, the train proceeded at a rapid pace towards Leeds. The last four miles were done in fourteen minutes, including a stoppage of two minutes, when crossing the Halton Dial embankment; owing, it was said, to one of the carriage-wheels having become overheated by friction. The tunnel, which required seven

or eight minutes for the passage in the morning, was passed in a minute, and the whole journey, including stoppages, was performed in one hour and sixteen minutes.

The length of this railway is about twenty miles and a half. For about eight miles from Selby the road runs nearly upon the same level as the surrounding land. On the approach to Milford considerable embankments have been necessary; but between Milford and Killingbeck there are several very deep and long cuttings. Between Killingbeck and Osmondthorp, a very expensive embankment and viaduct were necessary, and almost immediately adjoining the Leeds station is a very deep tunnel, above half a mile in length.

— COBBETT'S ACCOUNT OF THE MISERABLE CONDITION OF THE IRISH POOR. — Mr. Cobbett, in his Register, has given a frightful picture of the state of the poor in the city of Dublin. It is contained in a letter to one of his labourers.

“Dublin, Sept. 22, 1834.

“I have this morning seen more than one thousand of working persons, men and women, boys and girls, all the clothes upon the bodies of all of whom were not worth so much as the smock-frock that you go to work in; and you have a wife and eight children, seven of whom are too young to go to work. I have seen the food, and the cooking of the food, in a large house where food is prepared for a part of these wretched people. Cast-iron coppers, three or four times as big as our largest brewing coppers, are employed to boil oatmeal (that is, ground oats) in water, or butter-milk, or skim-milk; and this is the food given to these poor creatures. The white cabbages,

the barley-meal, the pot-fat, the whey, and the butter-milk, which George boils daily for our little pigs and their mothers, is a dish, to obtain a mouthful of which, thousands of these people would go on their knees. Marshall, you know how I scolded Tom Denman and little Barrat, and your own son Dick, on the Saturday before I came away, for not sweeping the sleeping place of the yard hogs out clean, and what a strict charge I gave George to fling out the old bed, and to give them a bed of fresh straw every Saturday. Oh, how happy would thousands upon thousands in this city be, if they could be lodged in a place like that roughest hog-bed! I, this morning, saw a widow and her four children in the spot where they had slept—on their bed. In short, George remembers my looking over at the sows and their sucking pigs, and at the two youngest calves, just before I came away; and that I told him to keep them in that nice condition all the time that I should be away. Now, Marshall, this poor widow and her little children were lying upon a quantity of straw, not a twentieth part so great as that allotted to one of the sows and her pigs, and if I, on my return, were to see, as I am sure I shall not, the straw of the calves as dirty and so broken as that upon which this widow and her children were lying, I should drive George out of the house, as a slovenly and cruel fellow. And this, you will observe, is the case of thousands upon thousands of persons; it is the case of whole streets as long as the main streets of Guildford and Farnham. Your pig-sty, and Turvill's pig-sty, and the sties of other labouring men, are made by yourselves, with

posts and poles, and rods, and heath, and your supply of straw is very scanty, and compels you to resort to fern and dead grass from the common; but—and now mind what I say—I saw Turvill's pig-sty the day before I came off, and I solemnly declare, in the face of England and of Ireland, that Turvill's two hogs were better lodged, and far better fed, and far more clean in their skins, than are thousands upon thousands of the human beings in this city, which, as to streets, squares, and buildings, is as fine a city as almost any in the world! The large house of which I have spoken to you above, is called the Mendicity. The word mendicant means beggar, and the word mendicity means beggary. So that this, which was formerly a nobleman's mansion, is now the house of beggars. From this house there are sent forth, every day, begging carts, drawn by women, who go from house to house to collect what is called 'broken victuals.' These carts are precisely, in shape and size, like my dog hutches, except that the begging carts have a sort of hopper at top to put the victuals in at, and a lock-up door at one end to take the victuals out of. Now mind what I am going to say: the bones, bits of rusty bacon, rind of bacon, scrapings of dishes and plates, left cabbage, left turnips, peas, beans, beets, and the like odds and ends, that Mr. Kenning throws into our hog-tub, form a mass of victuals superior in quality to these mendicity collections; and in proof of which, I state the following facts—that the carts, when they come in, have their contents taken out and examined by persons appointed for the purpose, who separate all that can become food from the mere rubbish and filth,

that is by servants at the houses tossed into the carts amongst it; and a gentleman has, in evidence given by him before commissioners here, stated, that, out of seventy odd hundred weight taken out of the carts, the examiners found only nine hundred weight that could by possibility become human food, the bones in these nine hundred weight not being included!

“The real statement is this:—

In twenty-two weeks
the begging carts collected 273 cwt.

Of this unfit for any

use 175

98

When the bones and other uneatable things were separated from this, there remained, applicable as human food 9 cwt.

So that these poor women, in these twenty-two weeks, actually dragged to this place 273 hundred weight of stuff very little better than that which forms an ordinary to my dunghill.”

OCTOBER.

6. EARTHQUAKE AND STORM.

—About 3 in the morning, Carthagená, in Spain, experienced a slight shock of an earthquake, which was followed by a second, and again at 7, by a third. About 8 the sky, which had been till then quite clear, became overcast, and the mountains were covered with lurid clouds down to their very bases. At 10, tremendous bursts of thunder shook the town, the lightning flashed, and torrents of rain fell, and continued at intervals through the day to deluge the streets. The people flattered themselves that when the sun sunk below the horizon, the

elements would be calmed, but they were disappointed. At 9 o'clock, the thunder became redoubled in force, the clouds poured down cataracts, and when the streets were seen during the repeated flashes of the lightning, they presented the aspect of turbulent rivers. When day appeared, a house in a square forming the angle of two streets, was completely insulated; a stream 80 feet wide, covered the promenade, and the quay was completely covered with fruits and vegetables, carried away from the fields by the force of the current. At 12 o'clock, when it became possible from the abatement of the waters to get upon the ramparts, the whole country round, as far as the eye could reach, was completely covered with water, and boats were busily employed in going to the relief of numerous unfortunate sufferers, who had been driven for safety to the roofs of the houses and the tops of the trees.

7. FIRE AND EXPLOSION ON BOARD A GOVERNMENT STEAM PACKET AT LIVERPOOL.—This morning between 2 and 3 o'clock, the greatest alarm pervaded the river and the neighbourhood, in consequence of a destructive fire having broken out on board the Dublin mail packet, *Thetis*, Captain Townley, accompanied by the explosion of the magazine of the vessel. The *Thetis*, one of the most beautiful and fastest steam-vessels in the service, had arrived in Liverpool from Dublin the preceding morning, and having discharged her passengers took her customary station at the Slyne, opposite Tranmere Ferry. The crew slept on board; and, about the hour above-mentioned, they were aroused by the crackling of the

vessel, which had taken fire in the aft cabin, the best apartment. The crew immediately used every exertion to extinguish the flames, but it was found to be impossible. An alarm was instantly given, when the *Richmond*, a government tender, shortly came alongside, with a number of extra hands. The fire was then raging, with little hopes of saving the most valuable part of the vessel, where the fire broke out; and it was deemed necessary to remove her from the moorings to some part of the river where they might have the advantage of a bank, and scuttle her. Accordingly, the *Richmond*, whilst the flames were bursting through the cabin windows, proceeded to tow her to Woodside, where she was run upon the bank about 80 yards from the shore. She arrived in this burning state at Woodside between 4 and 5 o'clock, when the *Sir Thomas Stanley*, *Eastham* packet, and the *Rival of Runcorn*, came to her assistance, and by means of their force pumps commenced playing upon the flames. The *Norwich Union* engine was also put on board one of the Woodside steamers, and brought into effective operation. About this period, the *Dolphin*, government packet, from Dublin, arrived, and captain Smithett, her commander, perceiving the conflagration which had taken place, lost no time in repairing, with the *Dolphin's* crew, to render every possible aid. The united endeavours of the crews of both packets, together with those of the captains and men employed in the *Runcorn*, *Eastham*, and *Woodside* boats, were then directed to extinguish the flames and scuttle the vessel. Great fears were now entertained that the small magazine,

near the after cabin, containing a barrel of gunpowder, would ignite and blow up the whole fabric ; but, notwithstanding this, the men continued their exertions unmindful of the danger. About 6 o'clock, whilst all hands were at work on the fore deck, the magazine caught fire, and immediately afterwards a tremendous explosion, which rocked the buildings near the river side, like the shock of an earthquake, was the consequence. Fortunately, not a single person was seriously injured, but the planks from the sides of the vessel and the windows were forced from their situation and scattered in all directions. The explosion, which was dreadfully loud, caused the utmost consternation and dismay, not only in the immediate neighbourhood, but in others more distant. It was distinctly heard at the Old Swan in the London road, and at Waver-tree. The best cabin by the explosion was now completely gutted and destroyed. Search was subsequently made for the plate, valued at 700*l.*, but not a vestige of it was to be found. Five minutes after the explosion, the mainmast, which had been burning for some time, rolled overboard, together with large quantities of other timber. The only plan then left to be adopted, in order to save the rest of the vessel, was to sink her as near in shore as she could be brought ; and, about half-past 6, a large hole was perforated through her forepart, and she went to the bottom, nothing being visible but her chimney and stern. Had she not at this time been scuttled, the whole of the vessel would have fallen a prey to the flames ; for, at the time she went down, they had reached beyond the chimney toward the forepart.

The original cost of the vessel was 17,000*l.*

13. EXTRAORDINARY CREDULITY.—At the Thames police office, Ellen Morgan, a young woman, very shabbily attired, but of plausible manners and address, who has for some time imposed on the unwary, by pretending to be gifted with a knowledge of future events, was brought before Mr. Ballantine, charged with obtaining several sums of money and some property from Miss Catherine Mather, a young lady, aged nineteen years, the daughter of a respectable hosier and haberdasher, residing in High-street, Shadwell.

An old woman, named Ellen Lynch, was also put to the bar as *particeps criminis*.

Miss Mather, a girl of interesting and delicate appearance, stated that on Friday morning last the prisoner Morgan came into the shop and asked her, if she would have her fortune told. After the prisoner had been telling her fortune some time, witness said she was afraid that her father would come in, and begged Morgan to call again. The prisoner said witness's fortune must be told then or the planet would not be auspicious, and requested to be allowed to go down into the kitchen. Witness complied with her request. Prisoner told her to cross her hand three times with the largest piece of silver she had. Witness took a half-crown from her pocket and did as she was desired. The prisoner took the money, and said it would have been all the better, if the piece of silver had been larger, and then made two knots in witness's handkerchief, and directed her to cross each knot with three shillings, which she did. The prisoner said, the money was for the planet, and

she would return it again. The prisoner then told witness she would go and consult the planet, and left the house. About half an hour afterwards the prisoner called again, and said she wanted 5s. more, and a shirt, silk handkerchief, and a pair of stockings, threatening, if witness did not give them, to acquaint her father with what had happened. Witness was frightened, and gave the prisoner 5s. belonging to herself, and the articles named, which belonged to her father. The prisoner, on this occasion, said that witness had been put in the planet, and she could not be got out again without money, but that every thing would be returned at 7 o'clock on Saturday evening, when the planet would be finished. On the same evening, witness saw the prisoner walking up and down the High-street in front of the house; but she did not speak to her at that time. On Saturday the prisoner, in company with the other woman, Lynch, met the servant, and sent word that she must have more money, and in consequence of what the servant said, witness sent 8s. more for the planet, which prisoner was to return in the evening. She saw no more of the prisoner that day. On Tuesday evening, the prisoner again made her appearance opposite the house. Witness opened the door, and the woman said she must have 10s. more to put on the planet.

The witness gave the prisoner the 10s.; she then said she must have 4s. more and a pair of black stockings, and she would not go without them. Witness gave her 4s. and a pair of black worsted stockings, which she got out of her father's shop. Prisoner said she would return them by half-past 9

o'clock that night, but did not keep her promise. On Monday, the prisoner stopped the servant, and asked for 10s. more, which witness sent, and the prisoner said that would completely finish the matter. On the same evening witness was standing at the door of her sister's house in Ratcliffe Highway, when the prisoner demanded 3s., which she gave her. She then said she must have another 10s. Witness told her she had not got it, and the prisoner intimated that she could take it out of her sister's till. Witness said she could not think of doing it, and the prisoner said it would be a complete failure, unless she had some more silver, to make all corners of the planet meet. The prisoner said she would come next morning for the 10s., and wait about the house, until the money was procured. She kept her word, and demanded the sum mentioned, but witness told her she could not let her have any more silver. The prisoner again threatened to divulge the whole transaction to her father unless the money was forthcoming, and promised to call again in the evening. She did call, and her father gave her into the custody of the police.

The prisoner said she did not receive any money on her own behalf; she merely acted as the agent of another fortune teller, who promised to return all the money and property when the planet was ripe, and she told the young lady so.

Mr. Ballantine ordered Lynch to be discharged, as there was no case against her, and fully committed Morgan for trial, for obtaining the money and goods by means of threats.

16. CONFLAGRATION OF THE TWO HOUSES OF PARLIAMENT.—The two houses of Parliament, with

nearly all their various offices, the old Painted-chamber, associated with a thousand historical reminiscences, the libraries of the two houses, &c., all fell a prey to a destructive fire, which broke out about half-past six o'clock in the evening. The flames suddenly burst forth near the entrances of the two houses, and immediately burnt with a fury almost unparalleled. In less than half an hour from the first discovery of the flames, the whole interior of the building, from the ground-floor to the roof, presented, through the numerous windows with which it was studded, one entire mass of fire. Thousands of persons instantly assembled, the engines were in attendance, the police and soldiery were on the spot, and every exertion was made to save the public papers and other important documents, vast quantities of which were conveyed to a place of safety, although many were unfortunately consumed. All attempts to save the house of Lords proving abortive, the firemen directed their attention wholly towards the house of Commons, and to the preservation of Westminster-hall. The wind, which, previous to this time, had blown from the south, that is, in a direct line from Abingdon-street towards Charing-cross, now, at near eight o'clock, veered somewhat towards the west, thus throwing the flames immediately upon the house of Commons; the angle of which, abutting upon the house of Lords, caught fire, and, notwithstanding the utmost exertions of the firemen, assisted by the military, the roof ignited, and fell in with a tremendous crash, accompanied with an immense volume of flame and smoke, and emitting in every direction millions

of sparks and flakes of fire. This appearance, combined with the sound, resembling the report of a piece of heavy ordnance, induced the assembled multitude to believe that an explosion of gunpowder had taken place. The flames now took a different direction; but the danger to the hall appeared to be more imminent than ever. From the house of Commons the fire appeared to retrograde as well as advance, and whilst the Speaker's house (which was partially burnt) was placed in jeopardy on the one side, the range of committee-rooms, situate immediately over the members' entrance to the house of Commons, opposite to Henry VII. chapel, appeared to be entirely enveloped by the devouring element. A dense black column of smoke issued from the roof of this part of the building, which was almost immediately followed by a large column of flame, and the south end of the hall was, therefore, at this time encompassed by burning edifices. At this period, several engines were introduced into the hall, and an immense quantity of water was distributed over every part of the building. The firemen and soldiers employed on the exterior of the building also redoubled their exertions, apparently wholly regardless of the danger to which they were exposed by the falling of burning rafters and the showers of molten lead which poured down upon them on every side. Their efforts were eventually crowned with success. That venerable structure escaped comparatively uninjured, as did the official residence of the Speaker. The house of Mr. Ley, chief clerk of the Commons, and the intermediate offices, and the new house of Commons library, were however completely

destroyed; but much of the furniture, and a great portion of the books, in this extensive pile of buildings were saved, and stored in the gardens. The conflagration ultimately extended all round the new front buildings of the Lords, utterly consuming the rooms of the lord Chancellor, Mr. Courtenay, and other offices ranging round to Hayes's coffee-house. The latter premises also were wholly destroyed. The two stories of committee-rooms on the stone staircase, as well as the courts of law ranging on the west side of Westminster-hall, were uninjured.

From an official statement published by the commissioners of woods and forests, it appears that, in the house of Lords, the robing-rooms, committee-rooms in the west front, the rooms of the resident officers, as far as the octagon tower at the south end of the building, the Painted-chamber, and the north end of the royal gallery abutting on the Painted-chamber, from the door leading into the painted chamber as far as the first compartment of columns, are totally destroyed. The library and the adjoining rooms, as well as the Parliament offices and the offices of the lord great Chamberlain, together with the committee-rooms, housekeeper's apartments, &c. in this building, are saved.

In the house of Commons, the house, libraries, committee-rooms, housekeeper's apartments, &c. (excepting the committee-rooms Nos. 11, 12, 13, and 14, which are capable of being repaired), the official residence of Mr. Ley, clerk of the house, and all the rooms of the Speaker's house from the oriel window to the south side of the house of Commons, are entirely destroyed. The state drawing-room

under the house of Commons, the Levee-rooms, and other parts of the buildings, together with the public galleries, and part of the cloisters, are very much damaged.

The loss of records sustained is not important, nearly every thing of value having been printed; but among those of the house of Commons destroyed are the test and qualification rolls, signed by the members after taking the oaths; and the original warrant for Charles 1st's execution is said to be missing from the house of Lords. Among the private property lost in the offices is a valuable series of private acts, the property of Messrs. Dyson and Jones. The books in the lower library of the house of Commons were saved; but those in the upper room, including the quantity lately received from France, were destroyed. The lover of ancient art has to regret the tapestry of the Spanish Armada; the fragments of ancient painting in the Painted-chamber and St. Stephen's chapel; and the probable necessary demolition of at least the latter of those structures. Some fine relics of ecclesiastical architecture will, however, still be preserved in the Speaker's house. A curiosity saved from the fire is an oak table marked with the blood of Perceval. The records of the Augmentation office were disturbed from their receptacles, and thrown into the street; but were shortly restored, being zealously watched by Mr. W. H. Black, the recently appointed sub-commissioner of records.

On Thursday, October 23, the Parliament was further prorogued to the 25th of November, the library of the house of Lords being fitted up for the ceremony with a temporary throne, wool sack, &c.

and the house of Commons meeting in a contiguous committee-room.

It was determined that the house of Lords should be immediately fitted up for the next session of the house of Commons, and the painted chamber for the house of Lords; which Sir Robert Smirke has reported may be effected at an expense of 30,000*l*. These works were immediately commenced.

On the day after the fire, their majesties (who had come to town for the purpose), accompanied by the earl and countess of Errol, earl of Munster, lords Adolphus and Frederick Fitzclarence, and several other noblemen, arrived in two private carriages in New Palace-yard, to view the ruins. After having surveyed the whole, they returned to St. James's-palace, and then left town for Windsor.

The most probable explanation of the event is, that the fire originated from the flues used for warming the house of Lords, having been unusually heated by a large fire made by the burning of the old wooden exchequer tallies, which had been improperly entrusted by the clerk of the works to a workman named Cross.

On the 22nd October, the privy council assembled for the purpose of investigating the origin of the fire. The examination was strictly private. There never was so numerous an attendance of members. Twenty-six summonses were issued, and twenty-one of the Councillors were in attendance, including the lord Chancellor, lords Melbourne and Palmerston, and all the other cabinet ministers in town.

On the 8th of November, they made the following report:

At the Council Chamber White-hall, Nov. 8.—The lords of the

Privy Council, who were directed to investigate the causes of the late fire, which destroyed the two houses of parliament, and other buildings, have examined various persons touching the same, and report as follows:—

“In consequence of an order from the Treasury, directing the Board of Works* to destroy the wooden tallies and foils which remained in the tally-room of the Exchequer (which was required as a temporary accommodation for the Court of Bankruptcy), and which tallies and foils were understood to be useless, Mr. Milne,† one of the commissioners of Woods and Forests, appointed Mr. Phipps, the assistant surveyor of Works and Buildings, to meet him on Tuesday morning, the 14th of October last, who accordingly met him at the tally-room, and Mr. Milne then pointed out to Mr. Phipps such of the tallies and foils as were to be preserved, and directed him to take steps for destroying the rest, and, pointing to a chimney in the room, said, “If you burn them there, you must be very careful, as the building is only of wood and plaster;” upon which Mr. Phipps said, that he intended to have them taken into the yard and burnt. To this Mr. Milne thinks he made no reply, but gave some caution to be careful. This is the account given by Mr. Milne in his second examination, correcting or explaining in some particulars his first.

Mr. Phipps states, that Mr.

* Not the Commissioners of Woods and Forests, but the late Deputy Chamberlain of the Exchequer.—Note by Commissioners of Woods.

† Late Deputy Chamberlain of the Exchequer.—*Ibid*.

Milne gave him directions to burn the tallies in the Exchequer yard, or some other convenient place. Mr. Milne says he is confident that he did not give such directions, nor any directions, otherwise than by approving of what Mr. Phipps said about burning them in the Exchequer yard. Mr. Phipps saw Mr. Weobley (the clerk of the Works) the same day, and told him to have the tallies and foils burnt, stating that Mr. Milne had directed them to be burnt in the yard, to which it appears, by Mr. Weobley's statement, although Mr. Phipps, to the best of his recollection, denies it, that Mr. Weobley objected at the time, saying it would alarm the neighbours.

Mr. Phipps states that, to the best of his recollection, Mr. Weobley said, that the order should be obeyed, and did not suggest any place for burning them till the next day.

Mr. Weobley is positive that he stated the above objection, and that Mr. Phipps then said, "You may do it where you can;" "and it struck me," says Mr. Weobley, "that the stoves of the house of Lords would be a safe and proper place to do it in." He does not, however, appear to have mentioned the plan at that time to Mr. Phipps; and both agree that it was not till the Wednesday that any plan was mentioned, except burning in the Exchequer-yard.

Mr. Phipps, in his second examination, again denies that Mr. Weobley made the objection mentioned by him to burning in the yard, or that he said, "You may do it where you can." The point on which they differ does not seem to be very material in the case, as they next day concurred in preferring the mode of burning the tallies in the stoves at the house

of Lords to burning them in the Exchequer-yard.

It appears that Mr. Phipps met Mr. Weobley on Wednesday, the 15th in Palace-yard, when Mr. Weobley suggested to Mr. Phipps the burning of the tallies in the flues of the house of Lords. Mr. Phipps acquiesced in the suggestion, saying, he thought it a very good plan.

It will be observed that, although Mr. Milne parted with Mr. Phipps on the previous day, in the understanding that the tallies were to be burnt in the Exchequer-yard, the change of plan that took place was never communicated to Mr. Milne, or his assent required to the burning in the flues, of which Mr. Milne remained intirely ignorant till after the fire had taken place. Mr. Phipps, in justification of his agreeing so readily to the proposal of Mr. Weobley, says, that he considered Mr. Weobly as a careful man, and that he would see to and superintend the burning of the tallies himself; and Mr. Phipps adds, that if they had been burnt in small quantities, he is still of opinion no damage could have happened; he says, it did not occur to him, at the time, that he was running counter to Mr. Milne's orders; that he considered the furnaces as a safe place to burn the tallies in; and that he did not give directions to Mr. Weobley to burn the tallies in small quantities, because he had always known Mr. Weobley to be a very careful man.

Mr. Weobley employed to burn the tallies two workmen in the service of contractors with the Board of Works, but who were in the constant employment of the Board, receiving their orders from Mr. Phipps, and held to be at the

disposal generally of the officers of the Board of Works. One of the men, Joshua Cross, had some years before been convicted of felony, and sentenced to seven years' transportation, but had only suffered imprisonment in the Penitentiary, and had, after three and a half year's confinement, been taken back (with a certificate of good conduct from the governor) by his former employer, Mr. Holroyd, then also a contractor with the Board for plumber's work, and had, in consequence, come into the employment of the present contractor, Mr. Clarke.

Mr. Weobley directed the two men to bring the tallies from the Exchequer on Wednesday evening, which they did on a mason's truck, going several times for them; there were about two one-horse cart-loads. Mr. Weobley desired the men to burn them slowly, only a few at a time.

They began the operation of burning at half past six the next morning, Thursday, the 16th of October. They represent that they obeyed Mr. Weobley's orders, and put on only a handful of ten or twelve tallies at a time, damping them occasionally with water, and laying them three deep in the bottom of the furnace, and not adding a second handful till the first was nearly consumed.

Richard Reynolds, a fire-lighter, whose business is to attend to the furnaces when the house of Lords is sitting, gives a very different account; for he says, that going to them between nine and ten o'clock, he remained for three or four minutes, and he saw them laying the tallies as fast as they could into the furnaces, putting in five or six handfuls at a time, each handful containing ten or twelve

tallies, and filling the furnaces up to three-fourths of their height; that he knows the flues well, having fed them; there was an astonishing blaze going on, for he could hear it perfectly; there was a great flame; they were filling both the flues with great rapidity. He says, he told Cross that he was going on very rapidly burning the sticks. Cross made no answer, and Reynolds left them.

The men, on the other hand, positively state, that they never filled the furnaces so as to make the fuel stand higher than three or four inches, and certainly not so high as six.

By Reynolds's account the height of the fuel could not be less than nine inches.

Mr. Weobley says, he came at an early hour, between seven and eight, to see the work going on, and he found the men following his directions; that he returned twice again in the course of the morning, and made the same observation.

His account certainly coincides with that of the men; but if, as Mr. Weobley seems fairly to admit, the operation of burning in the furnaces was the cause of the fire which afterwards took place, it is impossible to account for it in any other way than that the consumption of tallies went on much more rapidly, and that the furnaces were fed much quicker and filled much fuller with the fuel than the men represent; and if Mr. Weobley's observation was correct at the times he saw the work going on, the men must have departed from his direction during the intervals between his visits. It is to be observed, that Mr. Weobley did not go there after three o'clock, and that the burning continued till be-

tween four and five ; nor was any report called for or made to Mr. Weobley when the work was completed. Before five o'clock, or thereabouts, the men retired from their work and went to their homes.

Mrs. Wright, who acted as housekeeper of the house of Lords in the absence of her daughter-in-law, states that she had perceived a smoke and smell of burnt wood as early as ten or half-past ten, and that, having learnt that it was occasioned by the burning of the tallies in the flues, she sent for Cross at that time, and that he came ; and that, having asked him what he was doing, he said, he was burning the tally-sticks belonging to the Exchequer. She said, "That is very odd ; who gave you the order ?" He said, "The Board of works." She told him if Mr. Pullman was there, he would not allow him to do it. She says she sent again to Cross about half-past one, and that he sent back a message that she had no occasion to be alarmed—all was right. At half-past three o'clock she states that she again sent to Cross the boy Reynolds, who represented to Cross that the house was in a complete smother, and that the throne could scarcely be seen. Cross said he could not help it ; that he should be done in about another hour, as he had not many more to burn, and he would see everything was safe ; and that Mrs. Wright need not put herself out of the way about it. Neither Cross nor Reynolds recollect anything of the two first messages. Cross says that about eleven o'clock in the morning he was in the body of the house of Lords ; that he got in by knocking at Mrs. Wright's door, which she opened to him ; that he went to

see whether there was any particular heat. Cross states Mrs. Wright had not sent for him ; that he asked her to let him go in, just to see how the flues were, as he was burning some tallies. She said she could smell the wood burning. He said yes, that they were burning wood instead of coal in the flues. He said there was no danger, or something of that kind. Mrs. Wright wanted to know why he was burning the wood there, and he said it was by Mr. Weobley's orders. Cross further states that he looked at the thermometer, and that that was partly the reason why he went there ; that he went and put his hands to the place over the flues to see whether all was safe ; that he did not find it particularly hot ; did not go to the house of Lords a second time to see if all was safe ; did not see there was any occasion to go at all. It must be observed, however, that the state and appearance of the house of Lords during the whole of Thursday were such as to create uneasiness in the mind of Mrs. Wright ; and later in the day, and up to the time of her locking up the house, might have caused the most serious alarm.

Mr. John Snell, a witness, examined, says that about four o'clock he went with another gentleman to see the house of Lords, which was shown to him by Mrs. Wright. He says, that when he went into the house he observed what a quantity of smoke there was. She said, "Yes, the workmen are below." They remained about a quarter of an hour looking at the house and places adjoining, and were about to leave the house, when, as Mr. Snell says, his notice was drawn to the usher of the black rod's box ; that he went over to it, and adds,

M

"When I got very near the box, the heat was so great, I said, 'Bless me, how warm it is here; I felt it through my boots.'" Mr. Snell further states that he put his fingers down to the floor, and held them there for about a quarter of a minute, and said, 'I should almost be afraid this would take fire' — 'Oh, no,' said Mrs. Wright, 'it is a stone floor.' That it was observed by the gentleman who accompanied Mr. Snell, a Mr. Shuter, who was leaning over the box, that there was a suffocating heat; when Mrs. Wright said, 'Oh, the workmen are below burning the exchequer tallies, and I have known when the house was sitting that people who have stood at this spot have fainted.' "And by her making this remark," says Mr. Snell, "my observation was taken off altogether from it." He says he was much grieved that there was so much smoke in the house that he could not see the tapestry, and he went and put his hand up to convince himself that it was tapestry; that he could not see the throne from the bar.

It appears, as already stated, that Mrs. Wright herself complained at an early hour of the smell of burning, and that she sent for Cross, as she relates, at half-past one. She said, she found the house much worse, and sent for him again, and once more, for the last time, about four o'clock, when the house was in the state just described; that she sent for Jukes, the foreman of the works going on at the house of Lords, who has been examined, and states, that he was in the house of Lords on the Thursday last, about four o'clock, and that he pulled up the bump (a sort of floor-cloth), which

was upon the stone against Black Rod's box; that the bump was very hot; he felt it through his shoes; could not hold his hand upon the bump; did not feel the stone; that he told Mrs. Wright it was rather dangerous, and she said yes, it was, and that she had sent to Mr. Weobley's men in the course of the day several times, and they had not attended to it, and she further said, she would write off to the board of works; cannot tell whether she did so or not: that the bump was wet underneath, or, as it is called, *sweating*—this was confined to the place near the flue.

Mrs. Wright says, that Jukes having been sent for, she said to him, "Jukes, I do not like the appearance of the house, it is very hot below the bar." She says, that Jukes ripped up the bump, and that she put her hand upon it, and was obliged to take her hand away. This was in Black Rod's box, just where the flue is. Mr. Jukes said, "it is very hot, for this bump is quite in a sweat." I said, "then go again to Cross, for I feel very uneasy; they will set the place on fire." Cross then sent me word, he should be done in an hour, and all was right; but the boy, David Reynolds, said, "The house is very hot, for it is five degrees higher than in the beginning of the day—it was fifty-five—it is now sixty." I sent him to the men," says Mrs. Wright, "but they would go on with it." At five o'clock Mrs. Wright locked up the house in the state in which it has been described, and at six it was on fire.

Mrs. Wright states distinctly, that she never made any representation or communication whatever, of any kind, or in any way, to any

of the offices or public departments.

It appears that the flue runs across the angle of the black rod's seat; it further appears that the flue had not been swept since the beginning of the last session of parliament, being the usual time of sweeping it.

The circumstances above detailed—the heat and smell perceived in the morning, and the gathering smoke accumulated in the house of Lords at four—the state of that part of the house near the black rod's seat, as spoken to by the witnesses—the situation of the furnaces and flue, in reference to that place, and the manner in which the flames were seen bursting out near the black rod's seat—all clearly prove the burning of the tallies, or the manner in which they were burnt, to have been the cause of the calamitous event which has happened.

The opinion of Sir R. Smirke and others, including Mr. Weobley whose admission is much to his credit, supports that conclusion, in which we unanimously concur.

It is to be lamented that the plan of burning the tallies in the Exchequer yard, which was originally proposed by Mr. Phipps himself, and agreed to by Mr. Milne, was ever departed from, and that an experiment so full of hazard as that which was resorted to, was ever proposed by Mr. Weobley, or agreed to by Mr. Phipps, and that, too, without the assent of, or any communication with, Mr. Milne, the superior officer. It is to be observed, that wooden tallies had ceased to be used in the exchequer since the 10th of October, 1826, when that mode of accounting was abolished on the surrender of the

patent of lord Guildford and Mr. Burgoyne. Except on one occasion, about twenty years ago, when they were burnt in Tothill-fields, the tallies were never, it appears, destroyed otherwise than by being used (after being broken up) by the servants of the office as firewood, from time to time as it was required.

It is strange that the alteration of the plan of burning was agreed to, and with the utmost readiness, by Mr. Phipps, although, by his own account, he was not put in possession by Mr. Weobley, of the objection to the burning in the Exchequer yard. We are, however, inclined to believe the statement of Mr. Weobley, that the objection was made by him on the Tuesday, and that that circumstance, although now forgotten by him, and the entire confidence which Mr. Phipps seems to have placed in the care and prudence of Mr. Weobley may have induced him to consent so readily on the Wednesday to alter the plan for destroying the tallies.

It is unfortunate that Mr. Weobley did not more effectually superintend the burning of the tallies, and see that his orders to burn with caution were carried into effect. He was there only three times during the ten hours of burning, and he does not appear to have been there at all after three o'clock, subsequently, to which hour the symptoms of danger arising from the operation threatened and increased until the event took place. This can only be accounted for from his having entire confidence in the safety of the operation, the danger of which never appears to have struck his mind at all, although he directed, as a

means of precaution, the slow burning.

The same confidence and security appear to have been felt by the men at the furnaces, when, under all the circumstances of the case, as they have been brought before us, we acquit of all guilty design, although justly chargeable with gross neglect, disobedience of orders, and utter disregard of all warnings.

It is unaccountable that Mrs. Wright, when she felt alarmed, as she states herself to have been, was not led by such manifest indications of danger to make immediate representations in the proper quarter.

We think it right that we should here advert to the evidence of Mr. Cooper, and of the other witnesses who were examined in reference to his testimony.

Information having reached us, that Mr. Cooper, a respectable tradesman of London, and a partner of the firm of Hall and Cooper, iron-founders, of Drury-lane, was ready to give evidence, that he had heard of the fire at Dudley within a few hours after its breaking out, we thought proper to direct, that he should attend for the purpose of being examined, and he was examined accordingly on Monday, the 20th of October. He stated, that he left London by a coach to Birmingham, for the purpose of proceeding to Dudley, on Thursday morning, the 16th of October; that he arrived at Birmingham about a quarter-past seven in the evening, and set out for Dudley about eight by another coach (the Tallyho), and arrived at ten minutes before ten at night; that he stopped at the Bush Inn, in that town, and went into the commercial travellers' room, as he was

accustomed to do, having used the house frequently; that there were four other persons in the room, whom he did not know; that they appeared to be respectable men (commercial travellers); none of them had come with him from Birmingham; that he (Mr. Cooper) called for tea, and while he was drinking it, one of the travellers, who had his slippers on, went out to the door, and having returned, after two minutes' absence, said, "I have just heard that the house of Lords is burnt down, occasioned by some carpenters being careless with the shavings;" that one of the other gentlemen said, "Is it in the paper?" he said, "No, it cannot have got into the paper;" the other said, "How did you hear it?" The person who had brought the intelligence said, he had heard it from a person who had come by the coach. Mr. Cooper being asked if the others heard this, says, that one of them did not, he was asleep—the others did; that there was nothing more said about it, and that he went to bed; that he heard nothing more on the subject, either that night or in the morning. He thinks he could recognise the person who asked the question, but not the one who brought the information; that he left the gentleman who had brought the information in the travellers' room when he went to bed. In a subsequent examination, Mr. Cooper says, that he did not hear any coach stop at the door. Next morning, he states that he breakfasted in the same room, and at the same table, where he had drunk tea the night before; that he saw two of the same gentlemen in the room whom he had seen the night before, but not the

gentleman who had brought in the intelligence of the fire. He says, one of the gentlemen breakfasted with him.

Upon the third examination, on the 29th of October, Mr. Cooper recognised a witness (Mr. Riddle) produced as one of the persons whom he saw in the travellers' room, at the Bush Inn, on the Thursday night, but says, he was not the person who went out and returned and said, he had heard of the fire. Did not notice what sort of gentleman it was that so went out and returned—whether he was of a fair or a dark complexion, tall, or short, or middle-sized; whether he had a black handkerchief or a white one, or what was his dress; but noticed that he had slippers on. He thinks that the gentleman (Mr. Riddle) was present in the room on Thursday evening, when the news of the fire was brought in, but he is not positive.

Mr. Cooper further states, that he left Dudley at eight o'clock in the morning, or a few minutes after, and went to the Butterley, and to the Netherton Iron Works, in the neighbourhood of Dudley. Returned to Dudley about eleven o'clock, paid his bill, and left Dudley about a quarter-past eleven. He thinks the mail coach had arrived, for he saw the evening paper on the table unopened. The wrapper appeared to have been slipped off, but the paper was unopened. He took it up, and knowing he had a good deal of business, he put it down again, and did not read it. He left Dudley in a gig, and went to Bilston and Wednesbury, where he was taken up by the Union Shrewsbury coach, about half-past two in the afternoon, and arrived at Birmingham about three. He remained there till four, and

was in the coffee-room before starting, but not a word passed there on the subject of the fire. Mr. Cooper says, he can account for this, as the passengers were all from Shrewsbury, none of them from London. States, that at four o'clock he left Birmingham for London by the same coach (the Shrewsbury Union coach), of which Thomas Stuckbury, a witness who has been examined, was the guard. He states, that neither at Dudley on Friday, or at the iron works in the neighbourhood, or at Bristol, or at Wednesbury, or at Birmingham, did he hear any thing of the fire, nor did he mention the subject to any one. The coach passed through Oxford, where the witness says, that he had the first intelligence of the fire as it had actually taken place. He heard of it from the waiter at the Roebuck, on the Friday night. He told the waiter, that he had heard of it the night before at Dudley. The waiter said, "Indeed! how could that have been?" I said "I am surprised myself, for I did not see how it could come down." He told me, the fire had broken out at seven in the evening. I told him I had heard of it at ten.

On his second examination, Mr. Cooper says, that upon this occasion an observation arose from himself (witness), that if it had broken out at seven o'clock, it must have been the work of an incendiary, for he had heard of it at ten. On being reminded, that he had omitted that, when he was first examined, he acknowledged that he had. In the same examination he stated, that when he said to the waiter, that it must be the work of an incendiary, for he had heard of it in three hours, the waiter was going out of the room. He

says, he afterwards mentioned the circumstance of his having on Thursday evening heard of the fire at Dudley; that he mentioned it during the night of Friday to the passengers, who were with him on the top of the coach, and that one of the gentlemen mentioned it to the guard, who said he did not believe it; witness said, it was a fact, and that he had been informed of it on the Thursday night at Dudley; is positive that he told the guard, or the person near him, that it was at Dudley, and not Birmingham, that he had first heard of the fire. He says, that he had no conversation with the guard, or any of the passengers in coming from Oxford to London, as to the extraordinary quick time within which the news had arrived.

Mr. Cooper, on his first examination, states, that he arrived in London on Saturday morning, the 18th of October, at seven o'clock; that he saw his partner Mr. Hall first, but did not mention it to him, being very tired, and wanting a little rest. Nor did he mention it to Mr. Barron, when he saw him on the Saturday at two o'clock. Says, that he first mentioned the circumstance of his having heard of the fire at Dudley, to a medical gentleman of the name of Jones, who was attending his family; this was about two o'clock on the Saturday afternoon; states, that Mr. Jones called upon him on the Sunday, and said, he thought he (Mr. Cooper) was wrong in not communicating what he had heard.

On his second examination, Mr. Cooper states, that in his former examination he was incorrect in saying, that he had first communicated what he had heard at Dudley to Mr. Jones—it was to his partner

that he had first communicated it—not the first time he saw him, but afterwards.

The above we believe to be a correct statement of everything that is material in the evidence given by Mr. Cooper, on the three several occasions on which he was examined before us.

Three witnesses were examined in reference to that part of Mr. Cooper's testimony which embraces the evening of Thursday and the morning of Friday, the 16th and 17th of October. One of them, named Sarah Taylor, waiter at the Bush Inn, at Dudley, says, that she attended the commercial travellers' room on both occasions; she is well acquainted with Mr. Cooper: served him with tea in the travellers' room on the evening alluded to; states that when Mr. Cooper was there, there were two other gentlemen (commercial travellers) in the room; she was there a considerable time out and in; heard them talking together; there was no conversation about the fire when she was there; did not see any person come in and give information to them; did not hear of the fire that night from them or anybody else; she heard first of the fire on Friday morning, about eleven o'clock; she states that the London mail had arrived about nine o'clock; Mr. Cooper slept at the Bush, and came down in the morning about eight o'clock, and had his breakfast in the same room in which he had his tea the evening before, and at the same table; two of the same gentlemen who had been there on the night before, were in the room with Mr. Cooper at that time; that at about eleven o'clock, a gentleman of the name of Downing drove in

in his gig, and said, that he had heard, that the Houses of Lords and Commons were burnt down, and, that he hoped it was not true; he said he had come from Manchester, and had heard of it at Stourbridge; that was the first intelligence that the witness had of the fire; it was on Friday morning, and not on Thursday night; Mr. Cooper was gone when the gentleman came; he paid his bill at ten, and went away. She says that the news might have come by the London mail, which came into Dudley about nine o'clock in the morning, but the witness did not hear it so early. The mail had arrived before Mr. Cooper paid his bill.

The evidence of Mr. John Riddle we consider to be very material in reference to the point in question. He is a commercial traveller, and was recognised by Mr. Cooper as having been in the travellers' room at the Bush, on Thursday the 16th. Mr. Riddle says he was there at about a quarter before eight in the evening; that he staid there till nine o'clock, and then went out and returned in about half an hour; that a gentleman, whom he now understands to be Mr. Cooper, came in about the same time that he (the witness) returned. He saw him have tea; states that he (the witness) did not at the time when Mr. Cooper had tea, or at any time on that evening, hear of the fire, neither out of the Bush Inn nor in the Bush Inn. There were two or three other gentlemen there besides Mr. Cooper; but nothing was said by either of them respecting the fire. Is sure of that. Has not the least doubt of it. Witness did not hear of it that night. He was in the room

as long as Mr. Cooper. He (witness) remained there till eleven o'clock at night. Slept at the Bush, and breakfasted there next morning. Does not recollect whether he saw Mr. Cooper that morning or not. After breakfast he (Mr. Riddle) went out, and heard of the fire from Mr. Smith the landlord of the hotel, who told him he had heard it from Robins, the coachman of the mail, who had come from Birmingham that morning. Witness says he went back to the commercial travellers' room at the Bush, between nine and ten. Being asked whether he then told what he had heard, Mr. Riddle says, "I believe I made use of such words as these—'Here is a pretty go; here's the House of Lords and Commons on fire.'" Does not know whether he said that he had heard it from a gentleman who had come by the coach, but it is most likely he did. He says he remained in the room five or ten minutes; that he may have had some conversation about it. He thinks it probable, but does not recollect any. There were four persons in the room, but does not recollect whether Mr. Cooper was one of them. He says he is positive this was on Friday morning, and that he never heard of the fire till he heard of it at the hotel from the landlord of that House.

Mr. Charles Twamley, solicitor at Dudley, states that he made inquiries, first at the Bush, and afterwards at the hotel, the two coach houses in town, and found, that the first information of the fire was received at each of those houses on Friday morning; that he also made inquiries at various places, but did not find the slightest trace of the rumour of the fire

having reached Dudley on Thursday evening; that he made diligent inquiries for the purpose of discovering whether there had been such a report. Mr. Twamley further states, that in consequence of an inquiry on the part of the Attorney-General, he (the witness) did write to him to say, that the rumour had prevailed on Thursday morning, but he found that this was a mistake of Thursday for Friday, on the part of Sarah Taylor, the waiter at the Bush, and that he wrote to that effect by the following post. Sarah Taylor being again called, states that she told Mr. Twamley of the report having reached the Bush Inn at Dudley on Thursday; that she then recollected it was Friday, and sent to Mr. Twamley and told him; she says she meant Friday morning—she never said Thursday evening, but Thursday morning—she confounded it with Friday morning; she knew it was in the morning that they heard the report.

It will be remembered that Mr. Cooper states that he heard of the fire on his journey, for the first time, from the waiter at the Roebuck, at Oxford, where the coach stopped in the night of Friday; that the waiter having informed him that the fire had broken out at seven in the evening of Thursday, he told the waiter that he (Mr. Cooper) had heard of it the night before at Dudley, at ten; that they both expressed surprise at this, and that he (Mr. Cooper) said, he did not see how the news could have come down, and that it must have been the work of an incendiary, which words, however, in his subsequent examination, he says were used when the waiter was leaving the room.

We have examined the waiter of the Roebuck (John Whitbread), who states, that he remembers the Union coach coming in from Birmingham on the Friday evening; that it stopped at the Roebuck, and that one passenger came in to sup, whom he attended upon; that he (the witness) asked him whether he had heard of the fire, and he said he had heard of it; does not recollect that the passenger said where he had heard of the fire; he did not say where he had heard of it. Witness does not remember that the passenger said he had heard of it the night before, three or four hours after it took place, or at any time very shortly after it took place. Witness never heard him say where he had heard of the fire; the passenger said nothing about incendiaries, nor anything respecting his way of hearing of the fire, nor the time at which he heard it, nor anything which made it matter of wonder that he should have heard of it so soon, nor anything which induced the witness to express any wonder that it should have come in so short a time, nor of its being strange that he should have received the intelligence so soon after the event occurred. He (witness) is positive that he made no observation to the passenger on that subject, and that certainly nothing was said about incendiaries; that there was nothing in what the passenger said which particularly struck his mind, but witness asked him whether he had heard of the fire, and he said he had; that was all that passed; does not think the passenger mentioned the name of the place where he had heard it; he was the only passenger by that coach who came into the room; he was

a middled aged man, rather stout ; he thinks rather a light complexioned man, but he cannot be sure ; knows that he was rather a stout man (a description of the appearance of Mr. Cooper, who was not present at the examination). The witness says, that he does not know that he should know the passenger again if he saw him, he sees so many ; he further states, that there are two waiters at the Roebuck, but that the other does not attend upon that room.

In considering attentively the evidence with reference to Mr. Cooper's statement, we have no hesitation in declaring that we wholly disbelieve his story. We are willing to believe that Mr. Cooper has been mistaken, and that he did not intend in his evidence to deviate from the truth ; but we consider his testimony to have been satisfactorily met by other evidence, and disproved. Mr. Cooper's evidence stands wholly unsupported, and is positively contradicted in all that is material to the point of inquiry ; his conduct on his journey from Dudley to London—his silence on his first arrival in London, even to persons the most nearly connected with him—his inaccuracy as to his communications when they did take place, and indeed all the circumstances of his conduct throughout, would leave the case in impenetrable mystery if his evidence were to be relied upon. On the other hand, the connected story told by the other witnesses disperses all mystery, and leads us to conclude, as we have concluded, that the fire was accidental—was caused as we have related it, and was wholly attributable to carelessness and negligence.

Indeed it would be very difficult to point out a case of fire which could be more clearly traced than this has been to its cause, without suspicion of evil design.

All which is humbly submitted to your Majesty, with this further recommendation, that copies of this report should be communicated to the Lord Chamberlain of the Household, and to the Board of Works.

(Signed W. L. BATHURST.
DUNCANNON (for the Lord President.)

24. ATROCIOUS MURDER. — Captain Constantine Maguire, a gentleman possessing some property, on which he resided with his family, within two miles of Caher, adjoining the high road between that town and Tipperary, had recently ejected some tenants for non-payment of rent—and had also prosecuted a person at petty sessions for destroying a young plantation on his grounds. For these offences Mr. Maguire had become obnoxious to the self-elected legislators of Ireland, and consequently incurred the penalty of death. On Saturday morning at eight o'clock, the deceased and his lady were walking in the lawn in front of their mansion, when she returned to the house for the purpose of ordering breakfast, leaving her husband to continue his walk. She had, however, scarcely reached the house when she heard the report of fire arms, on which she instantly ran back, and hastening down the lawn, observed two fellows, strangers to her, running with all possible speed from it. The unfortunate lady did not proceed far when she found her husband a lifeless corpse, his head battered

into pieces, as if by the blows of the butt-end of a musket.

NOVEMBER.

LOSS OF THE SUPERB STEAMER.

—The Superb Steamer, having sailed for Hamburgh, was seen, on the 23rd October, about six leagues to the east of Yarmouth, in a gale from NNE.: she ran for Lowestoffe-roads, where she rode until Sunday, the 26th; on that day, she stood out to sea, about six or seven leagues off to the south of Yarmouth, in a strong wind of WNW. She was never heard of afterwards.

6. FIRE AT ROTHERHITHE.—

A fire occurred this morning in Rotherhithe, which terminated in the destruction of the Europa Inn, and twelve houses, principally inhabited by poor families, and the loss of three lives. The fire broke out in the apartment of a young man of drunken habits, named Scales, in Church Street, near the entrance to the Deptford Road. Scales resided in one of his father's tenements, a double house, in Church Street, the upper part of which was let out to poor persons, while the lower part is divided into two shops, one of which was occupied by Scales, who was a baker's peel maker, and also assisted his father in his business of a broker and appraiser. Young Scales returned home on Wednesday night, shortly before twelve o'clock, in a state of intoxication, having been removed from the Bell public-house not long before. An hour afterwards, that part of the building which he occupied, was discovered to be on fire, and flames were seen issuing from his apartment. Directly afterwards

the lodgers presented themselves at the windows, screaming loudly for assistance; two or three flung their beds out and jumped after them; some were caught by the few bystanders who had assembled, and others escaped by dropping from the windows at the back of the houses. In less than two minutes, the two houses, composed almost entirely of lath and plaster, were on fire from top to bottom, and the flames spread with such fearful rapidity, aided by a strong south-west wind, that before the inmates of the adjoining house, occupied by an old man named Fox, a shoemaker, and several poor families, were at all aware of the impending calamity, it was also on fire. Fox and his wife were aroused by a volume of flame entering the room in which they slept. The woman rushed to the window and was seen enveloped in fire, and calling for help, which no one could afford: she threw herself out from the window of the second story (one of her hands having been previously nearly consumed) into the street, and broke one of her thighs, besides receiving other severe contusions. Her unfortunate husband endeavoured to save some of his property, and after the front of the house had been consumed, he was seen in the midst of the destructive element, on the stair-case, imploring aid and directly afterwards he fell into the midst of the burning materials and perished. Young Scales, who endeavoured to rush through the passage of the house, was driven back by the flames, and was burnt to death. The three houses in Church Street were speedily destroyed, and before the parish engines had arrived, the flames communicated to the backs of some of

the houses in a long and narrow street, which divides the Europa Inn and livery-stables from the dwelling occupied by Fox and his wife, called Clark's-orchard. The terror and alarm of the poor creatures, when the fire reached their dwellings, were extreme; many snatched up what they could in the hurry of the moment, and were obliged to escape from their blazing tenements with nothing on but their night clothes. Parents were seen in all directions seeking their children, who had been lost in the confusion. Before a drop of water could be brought to bear on the flames, four houses on one side of Clark's-orchard had been burnt, and the fire had communicated to the houses on the opposite side, abutting on the back of the Europa Tavern, the destruction of which seeming inevitable, Mrs. Wilmott, the landlady, commenced removing her furniture to a place of safety. The firemen now exerted themselves to the utmost, but the supply of water was very scanty, and four houses on the east side of Clark's-orchard, formed only of lath and plaster, shared the fate of the others. The firemen arrested the progress of the flames in Clark's-orchard, at the house of a chimney-sweeper, which was partially consumed. About half-past two, the Europa Inn, which had lately undergone extensive alterations and repairs, was on fire, and in less than an hour was totally destroyed. During the conflagration, the atmosphere was illuminated to a considerable distance; every object was distinctly seen as far as Greenwich, and the rigging and masts of the shipping in the river could be traced. The fire was entirely subdued by half-past three o'clock, and at that time nothing appeared of the Europa

Inn, and the twelve houses in Church Street, and Clark's-orchard, but a heap of ruins, and a few stacks of chimneys which remained standing.

Mrs. Fox, after she had thrown herself out of the window, remained in an adjoining street for nearly two hours, no one thinking of paying any attention to her. She was afterwards removed to a house, but no medical assistance was afforded for several hours; when Mr. Evans, the chief surveyor of the Thames Police, visited her, and immediately sent for a surgeon, who advised her immediate removal to one of the Borough Hospitals, where she lingered a few hours, when death put an end to her sufferings.

11. VICE CHANCELLOR'S COURT.
—*Mortara v. Hall.*—In this cause, which was a suit for the administration of the estate of the late Captain Nisbett, of the Life Guards, who married Miss Mor-daunt, the actress, a petition was presented by Mr. Burgham, the surviving partner of Messrs. Burgham and Hummel, tailors, Clifford Street, Bond Street, for leave to bring an action against the executors to recover the amount of their demands for clothes supplied, and money lent to Captain Nisbett to the amount of 3,421*l.*

The Solicitor General for the petitioner stated, that Captain Nisbett came of age in June, 1831, and was killed in September of the same year. A few days after he came of age he made his will, and directed all his just debts to be paid. In the inquiries in the Master's office as to his debts, a question arose, whether debts to a very large amount, contracted before Captain Nisbett came of age, were to be discharged under the direction in his will; and the

Master reported against the claim of the present petitioner upon two bills of exchange. Upon exceptions this report was confirmed by the late Master of the Rolls. Messrs. Ludham and Hill, glovers, then arrived in a claim for hosiery, which the Master allowed: but upon exceptions to this report by the legatees, his honour, the vice chancellor was of opinion, in February last, that where guardians made a minor a reasonable allowance for his maintenance, the question as to necessaries could not arise; and, that in such a case a tradesman had no claim against his estate, even for necessaries sold to him on credit. The master made his general report in May last, ascertaining what remained to be divided between the legatees; and the present petition was presented soon afterwards. A creditor has a constitutional right, it was said, to have the opinion of a jury upon his claim, where it rested upon a point of law. If Captain Nisbett was alive, and an action was brought against him by the petitioners for their claim, the court would not interfere by injunction.

Sir Edward Sugden, for the legatees and executors, contended, that the very question now sought to be opened, was decided with the acquiescence of all the creditors in the Master's Office. The petitioner's account began in 1828, when Captain Nisbett was only eighteen. He was known to be a minor, and to have an ample maintenance for his support; and a tradesman, who furnished him with such articles as are now charged for, must have known that Captain Nisbett had no means of paying for them. If a tradesman will supply the most extravagant articles to a minor, he has reason to suspect the other expenses of

the minor are upon the same ruinous scale. The learned counsel then proceeded to comment upon some of the items of the account, all of which were supplied before Captain Nisbett came of age. Among the items referred to were:—

£. s. d.

1828. A rich fancy ball dress as follows:—A rich green velvet cape, richly braided with gold—A rich solid gold sash and sword-belt, richly worked in squares—A fine white cambric ruffle and collar—A rich gold chain, with Maltese cross—A pair rich gold lace bracelets—A rich black Genoa velvet cap, with a plume of white ostrich feathers—A pair superfine light green cloth pantaloons, with broad gold lace down the sides—A pair silk stocking pantalon drawers—Loan of a sword	68	0	0
Rich figured India silk morning gown	8	8	0
A superfine scarlet waterproof cloth Colonel Berkeley's hunting-coat, with rich embroidered black velvet collar	8	10	0
A rich rose silk racing jacket	3	10	0
A pair of racing leather breeches	3	10	0
A superfine green cloth lady's cloak, lined throughout with silk, and rich sable for collar; a rich black Genoa velvet collar, and facing down front, and silk neck line ..	19	0	0
Thirty-six white waistcoats ..	54	0	0

There were in all fifty-one coats, 100 pairs of trowsers, 119 waistcoats, eight great coats and cloaks, and six dressing gowns. Now, every tradesman who trusts an infant does so at the peril of the infant's being already supplied with the articles, if necessaries; or that he has not a sufficient maintenance allowed him to pay for necessaries. In a case of such extravagance, the whole demand must be rejected at once.

The vice chancellor, after stating the dates of the transactions, said, the question now is, whether the sort of debt which the creditor wishes to have tried at law is, under the circumstances and the lapse of time, to receive any favour from the court. Every person must be struck at this frightfully extravagant and ruinous sort of debt against a spendthrift young man. When an opportunity is given to tradesmen, who are unprincipled enough to enter into such transactions with young men, the honest customer is defrauded by the advance of price to make up the losses occasioned by such speculations. He had no doubt the party would not succeed at law, and the charge was of such a nature as he ought not to lend his assistance to.

Petition dismissed with costs.

13. PRIVY COUNCIL.—ALIMONY.—The judicial committee of the privy council held their first sitting on Thursday, in the council chamber, and were occupied several hours with an appeal—the most noble the marquis of Westmeath against the most noble the marchioness of Westmeath, from the arches court of Canterbury. The point submitted to their lordships' consideration, was the amount of alimony to be granted to the marchioness of Westmeath, the marquis appealing against the award of the court below, by which he was ordered to pay the marchioness 700*l.* per annum.

The vice-chancellor gave judgment on the part of the lords present.

Their lordships were called upon by the appellant in this case (the marquis of Westmeath) to reverse the decision of sir John Nicholl (the judge of the arches court),

who had considered in his award that the 500*l.* per annum which the respondent (the marchioness of Westmeath) received as one of the ladies of the bedchamber to the queen should not be reckoned as income, on account of the expenses incidental to the office; and had also considered the pension of 385*l.* per annum which the marchioness had had granted to her by the king, as not secure. The judge had, therefore, ordered the marquis to pay 700*l.* per annum as alimony to the marchioness, which, with the 500*l.* would make 1,200*l.* per annum. It appeared to their Lordships that sir J. Nicholl had rightly set the expenses incidental to the office of lady of the bedchamber to her majesty against the salary; but when sir John had treated the pension of the marchioness as not secure, he had gone too far. Their lordships considered the pension as secure, and the decision, in this particular, ought to be rectified by striking out of the 1,200*l.* the amount of the pension, 385*l.* The arrears due to the marchioness from the marquis were, therefore, ordered to be calculated at the rate of 700*l.* per annum up to the date of the grant of the pension, and after that time 385*l.* per annum was to be deducted from that sum.

17. MELANCHOLY EVENT AT LIVERPOOL.—FIFTY PERSONS DROWNED.—On the morning of the 17th inst., a pugilistic combat was appointed to take place between two men, named M'Fee and Robinson, near New Ferry, on the Cheshire side of the River Mersey, and opposite to the port of Liverpool. There not being any regular steam-boat plying to the ferry nearest to the field, several parties

of the working classes hired boats on the Liverpool side of the river to take them across and back again. The fight being over, the crowd of spectators proceeded about three o'clock in the afternoon to enter their respective boats. The liability to accident was increased by the state of intoxication in which a great part of the passengers in all the ferryboats returned to their homes. When about midway across the river, one of the boats, having been from the first greatly overloaded, and containing about forty or fifty passengers, began to fill, and the directions of the boatmen, to enable them to avoid the consequences, being in a great degree neglected, it soon afterwards swamped and upset. At this critical juncture, the boatman who held the foresheet let it fly, careless beyond his own immediate preservation, and sprung over the stern of the boat so as to get clear of the struggling individuals who were thus in a moment precipitated on their fate. The other boatman unfortunately became entangled in the flying foresheet of the already filled boat, and was further encumbered by the drowning persons, who, in the vain hope of thereby protracting their inevitable fate, grappled with him so as to render it difficult for him to get clear of them. He succeeded, however, in effecting this, and swam towards the Liverpool side. In a short time, but not before he was nearly exhausted, he was picked up by one of the boats which, on observing the accident, immediately put off to render assistance.

Another almost equally crowded boat made up to the scene with the humane intention of preserving some of the sufferers. The victims of the previous accident having

lost all presence of mind, and the passengers in the other boat having scarcely more command of reason at the moment, the very means most likely to involve the whole in a common ruin were resorted to, and the result was, that the second boat upset likewise. The party whose sense of humanity had thus put their own lives in the most imminent peril, were however more fortunate than those whose rashness had originally caused the calamity, the greater number (about twenty) of the passengers in the second boat having been rescued from a watery grave.

It was ascertained, from subsequent inquiries, that between forty and fifty men and boys were drowned by the swamping of the boats. The accident, it was said, was occasioned by a quarrel among the men in the first boat about the division of some meat they had stolen in Cheshire. In the quarrel the boat was capsized, by the pressure on one side.

18. FIRE AT THE BENEDICTINE CONVENT AT HAMMERSMITH, AND LOSS OF LIFE.—About a quarter before five o'clock this morning an alarming fire broke out in the nunnery, in King-street, near the Broadway, Hammersmith.

It was first discovered by some of the sisters, whose sleeping rooms were on the second floor, who on rising felt their apartments very hot, and on going into the gallery, perceived a strong smell of fire. They immediately gave an alarm, and ran over to the house of Mr. Gomme, an auctioneer, residing opposite, who instantly got up, and with others of the neighbours, who had also been alarmed, proceeded to render assistance. On entering the yard of the building

they discovered the smoke issuing from a large wash-house on the ground floor, and on opening the door found a number of clothes-horses and a large quantity of linen in flames. They also found that the room above, which was occupied by Miss Margaret Bosville, an aged lady, who had resided there for years as a boarder, was on fire. On going up stairs to her room, the furniture and flooring of which was blazing furiously, the heat was so great they were at first compelled to retreat, but there happily being a plentiful supply of water the fire was, after much exertion, sufficiently subdued to allow them to enter the room, when a melancholy spectacle presented itself, the body of the old lady being found, burnt in a most shocking manner, nothing remaining of her but the head, the upper part of her body from the chest, and the bone of her left leg, from the knee downward, the foot, with the stocking and shoe, being untouched. The other parts of the body, which were burnt to a cinder, had fallen with the flooring, &c., into the washhouse beneath. It is supposed Miss Bosville, who was 84 years of age, had got out of bed and gone to a chest of drawers which stood between the windows, and that the flame from her candle had either communicated to her night-dress, or to the contents of the drawers, which, in her endeavours to extinguish the flames, she had pulled over her.

21. LORD BROUGHAM'S FAREWELL TO THE CHANCERY BAR.—His lordship, at the rising of the court on Thursday, said that he had not been aware, until within the last hour, that he should have been called to give up the Great

Seal so early. He had, however, received an intimation that he was to do so, and he found that he must leave as early as half-past two o'clock. The arrangements that rendered this imperative, he need not say, were not made by him, or with his concurrence, but entirely to suit the convenience of other parties. He did not hesitate to say, that he felt no trifling annoyance at the thing, not, of course, on his own account, (for as it regarded himself individually he did not value it a straw), but from the fact of his having fixed to hear a case, which he considered it was most important to the parties for him to decide, and which now he could not do. Under these circumstances, therefore, all that remained practicable for him to perform, would be to give judgment in some cases which he had heard, and then take his farewell of the court.

The lord chancellor then gave judgment in several cases, after which he read the following address :

"I have now disposed of all the cases that have been heard before me up to the last ; and it is with great satisfaction that I quit this court without putting any one party to the expense and delay of having his cause reheard before another judge. I have equal satisfaction in observing that (besides a cause which stands over by consent of parties for the attendance of the common-law judges) there are only two cases which remain to be heard of those which were set down before the last long vacation.

"As I had no right to press the parties closer than this, it was my intention, if I had remained here, to adjourn the court on the last

day of term early in the next week, to the next term, the 11th of January, as I was obliged to do in the month of June last, for a like reason, the business being all disposed of. Thus I have the greatest satisfaction in reflecting that this court, represented by its enemies as the temple of discord, delay, and expense, has been twice closed within the space of five months, and I ascribe this singular felicity, in great part, to the tried ability and indefatigable industry of my most learned and excellent coadjutors, the present vice chancellor, and my lamented friend the late master of the rolls; and in part also to the labours and talents of the bar. That the same good for-

tune will follow my successor, I confidently expect; for he, too, will have the aid of his honour, the vice chancellor, and he will have the further aid of the present master of the rolls, whose high accomplishments as a lawyer, whose consummate fitness for the judicial office, renders his elevation at once the greatest benefit to the public, and is my own best title to the gratitude of the profession."

His lordship appeared to be much affected in that part of his address touching the death of the late master of the rolls, and was not able to go on for some short time. At the conclusion the bar rose, and his lordship, bowing to them, retired from the court.

DECEMBER.

1. **MR. HEBER'S LIBRARY.]** The sale of the fourth part of Mr. Heber's Library, which has been proceeding during the month of December, for fourteen days, comprised some very curious books on English, Scotch, and Irish history, and some rare French romances. It also contained the larger portion of the collection of English poetry, and of authors connected with the commencement and progress of the English language and literature. This was the part of his library of which, it is said, "Mr. Heber was the most proud, and which he laboured for nearly 40 years, with unceasing perseverance, and equally constant pleasure, to enrich and complete." The prices did not, however, keep up to their former height, and some were knocked down at little more than one-third of the price they cost the collector.

The following are instances of the prices which some of the books brought:—

	£.	s.	d.
Alfoni. "Opera Jocunda, &c." A rare and curious book, consisting of tales, theatrical representations, and poems, in the Macaronick, Piedmontese, and French languages. This unique copy was obtained from Italy, and belonged to Mr. Hanrott	17	5	0
"Avale (Lemeke); a Commemoration, or Dirige of Bastard Edmonde Boner, alias Savage, usurped Bishoppe of London (in verse). Imprinted by P. O., 1569."—A recantation of the famous Pasquin of Rome, in verse. Imprinted by John Daye, 1570—(cost 10 <i>l</i>)	3	15	0
Bancroft (T.)—"Heroical Lover." 1658. Extremely rare	9	16	0

	£.	s.	d.
Beverley (P.) "The History of Ariodanto and Jeneura," (bl. 1.) - - - - -	18	7	6
Barclay (A.) "Here begynneth the Eglogues of Alex ander Barclay, Prest." Mr. Heber, in a note, says, "I know of no other copy;"—"except a copy, (it is added) in the Royal Library of the British Museum." Im- prynted by Wynkin de Worde - - - - -	24	10	0
Boetius, "The Boke of Comfort." Translated MDXXV.	63	0	0
Chaucer (Geffray.) "The Assemble of Foules. Imprynted by me Wynkyn de Worde. MDXXX." "This is the only copy known." MS. note by Mr. Heber. (See it described in the Bibliotheca Anglo-Poetica) - - -	15	0	0
"Cobler of Canterburie; or, an invective against Tarlton's Newes out of Purgatorie" 1608. Unique from the Duke of Grafton's library, and purchased for the Duke of Devonshire, at - - - - -	12	12	0
Constable (Henry) "Diana, the praises of his mistress" (sonnets) 1592. Probably unique - - - - -	9	12	0
Conusaunce d'Amours. Printed by Pynson, (unique) -	15	0	0
Dekker (Thomas). "Warres, warres, warres," 1628. Be- lieved to be unique. Purchased at Sir M. Sykes's sale for 13 <i>l.</i> 13 <i>s.</i> - - - - -	6	2	6
"Syr Degore;" unique copy, printed by Wynkyn de Worde	15	5	0
Douglas. "The Palis of Honoure, compyled by Gawyne Dowglas, Bysshope of Dunkyll (a poem written in 1501). Imprynted by Wylliam Copland" - - - - -	17	0	0
"Dysputacyon. Here begynneth a lytel treatyse, called the Dysputacyon, or complaynt of the Herte thoroughe perced with the lokyng of the eye. Imprynted by Wynkyn de Worde. A quarto, consisting of very few leaves; it had been in the collection of Horne Tooke, and the Duke of Roxburghe, and once sold for 30 <i>l.</i>	10	0	0

12. CORRESPONDENCE BETWEEN SIR R. PEEL AND DR. LUSHINGTON.

Whitehall Gardens, Dec. 12, 1834.
Friday Morning, 10 o'clock, A. M.

Sir,—I have this moment read
in the *Morning Chronicle* of to-day
the following report of a speech
attributed to you:—

"When, said the Doctor, I hear
people say, 'Oh, for God's sake,
trust the Duke!—for heaven's
sake, listen kindly to Sir Robert
Peel, who carried Catholic Eman-
cipation!' I cannot help exclaim-
ing against such folly and absurdity.
The man who patiently listens to

such stuff is an idiot—the man
who avows his belief in them is a
traitor. *How do men act in pri-
vate life? Do you confide in those
you know to be convicted swindlers?
If you seek a woman to be your
companion for life, do you take as
a wife, or as a mother to your
families, a prostitute from the
streets? If, then, men are governed
in private life by such feelings,
should they not feel equally jealous
of the character of those who go-
vern them?*

I request that you will inform me whether that part of the above extract which I have marked, be an accurate report of expressions used by you?

I am, sir,

your obedient servant,

ROBERT PEELE.

Stephen Lushington, esq., M. P.

Great George-street, Dec. 12, past 3.

Sir—At the time your letter arrived, I was professionally engaged in court, but I have taken the earliest opportunity to write an answer.

It is wholly impossible for me, considering the circumstances attending the meeting of yesterday, to undertake to say with precision what particular expression I used on that occasion; but though undoubtedly some of the words stated by you in your letter were uttered by me, yet the whole passage is not correct. I know well the argument I used. I intended to support this position—that the world, in their opinion of statesmen, ought to be governed by past experience, and to rebut the assertion, alluding more particularly to the *Times*, that it was probable the new administration, having always opposed reform, were proper to be intrusted with carrying into effect the measures expected to result therefrom; but I did not, as from your letter I conjecture you are inclined to believe, use or intend to use any expression purporting to have any effect beyond this—that the Duke of Wellington and yourself could not be expected to become zealous reformers in the sense in which that term was understood by the meeting, any more than a great change of principles and character would be likely to occur suddenly in any individual.

My observations, if all correctly detailed, did not reflect on the character of any one; they were directed exclusively to the expediency, in my judgment, of employing in the cause of reform, persons hitherto opposed thereto, and nothing was further from my intention than to make any personal allusions disrespectful to yourself.

I am, sir,

your obedient servant,

(Signed) STEPHEN LUSHINGTON.

The right hon. Sir R. Peel, Bart.

Whitehall-gardens, Dec. 13, 1834.

Friday evening.

Sir,—The explanation which your letter conveys, and the frank assurance that nothing was further from your intention than to make any personal allusion disrespectful to me, are entirely satisfactory.

It is, perhaps, right that I should add, that for the purpose of removing the very erroneous impressions to which the report of your speech might naturally give rise, it is my intention to give publicity to the correspondence which has passed between us.—I have the honour to be, sir, your obedient servant,

ROBERT PEELE.

Stephen Lushington, esq. M. P.

— DISCOVERY OF PART OF THE TAPESTRY OF THE HOUSE OF LORDS.—At the time the gallery in the late House of Lords was erected, the tapestry was removed from that portion of the wall which faced the throne, in order to make way for the gallery; and the tapestry so taken down, forming part of the ancient and well-known painting of the destruction of the Spanish Armada, was placed for safety in a room appropriated to the Lord Chamberlain. The tapestry lay

there for some time; but it would appear that little value was attached to it. Subsequently a servant of Major M'Arthur, conceiving that the tapestry was little better than a useless piece of lumber, offered it as a present to a man named Ware, one of the ticket-porters employed about the House of Lords, who, however, would not accept it as a present, but gave the servant 5s. for it. He subsequently sold it for 15s. to a broker named Preston, who, in turn, made cent per cent upon the article, having sold it for 30s. to Mr. Thorn in whose possession it remained. The tapestry lay among other curious articles for some time in the ware-room of Mr. Thorn; and after the destruction by fire of the Houses of Lords and Commons, he considered that his purchase might be turned to good advantage. As it now became a precious relic of what the flames had destroyed, he set upon it a considerable price (said to be no less a sum than 400*l*.) The tapestry was for some time exhibited to the curious customers by whom his shop was frequented; and at length Mr. Thorn, conceiving that his Majesty's government might feel desirous to become the purchasers of so curious a memorial, wrote to Lord Melbourne upon the subject, and subsequently to his Grace the Duke of Wellington; in consequence of which the Commissioners of Woods and Forests ordered an inquiry to be instituted, with a view to ascertain by what means Mr. Thorn became possessed of the tapestry. In pursuance of that order application was made at Bow-street to Mr. Halls, under the authority of the Lord Chamberlain, for a summons against Thorn who was a broker, and dealer in pictures and curious articles of fur-

niture, residing in Stanhope-street, Clare-market, calling upon him to explain how he became possessed of, and why he refused to deliver up, a portion of the tapestry of the late House of Lords, which was alleged to have been stolen prior to the destruction of both houses of parliament, and which had since been exhibited in the shop of Mr. Thorn, as a curiosity of considerable value.

Mr. Thorn accordingly attended at the office. A good deal of conversation took place between Mr. Thorn and the magistrate; the former refusing to produce the tapestry, as the officer who was sent to examine his premises had threatened to take possession of it by force. The magistrates said they could not proceed with the inquiry without the tapestry; and ultimately it was arranged that the inquiry should be adjourned till the following day, when the tapestry was to be produced.

When the parties appeared on the following day, Thorn again refused to produce the tapestry; till the magistrate, Sir F. Roe, pledged his honour as a gentleman, that if no case of felony was made out, the tapestry should be restored to Mr. Thorn. The tapestry was then brought in, rolled up in canvass, and placed in the care of Ellis, the officer.

Mr. Thorn being called as a witness, stated, that, in May or June last, he bought the tapestry produced from Mr. Preston, in the same street, for 30s. Mr. Preston came to him early in the morning, and said he had a piece of tapestry from the House of Lords to sell. He saw it at Preston's shop, and gave him the price mentioned. Witness asked him how he got it, and he said he believed it came from a man who

had been in the service of a gentleman belonging to the House of Lords.

Sir F. Roe—Was there a ticket upon it, upon which was written “ Piece opposite the throne ? ”

Mr. Thorn—Yes. (He produced the ticket, and said he showed it to the first gentleman who called about the tapestry.)

Sir F. Roe—What was the size of the tapestry ?

Mr. Thorn—twenty-seven feet by fifteen.

Sir F. Roe—Did it not occur to you that it was an improvident purchase, buying as you did so large a quantity of tapestry for such a sum, especially when you knew from whence it came ?

Mr. Thorn—No, sir, I did not ; for I have bought a whole room of tapestry, and not long ago, for 18s.

Sir F. Roe—But not of this kind, I suspect ?

Mr. Thorn said, he had no idea of doing wrong in making the purchase.

Mr. Preston deposed to selling the tapestry to the last witness, and said he bought it of a man named Ware, whom he had known many years. He told witness, that the tapestry was given to him by a servant to some gentleman belonging to the House of Lords. He did not choose to take it entirely as a present, and therefore gave the servant 5s. Witness added, that he understood the tapestry had been used as a carpet.

By Mr. Adolphus—I sold it to Thorn in open shop. It was in so bad a state, that I did not like to be encumbered with it.

Major Edward M'Arthur was then sworn.

Sir F. Roe—Did you ever,

Major M'Arthur, give any person leave to take away the tapestry mentioned ?

Major M'Arthur—No. On the contrary, I thought it so important a relic, that I ordered it at once to be deposited in a place of security, and made a memorandum of the circumstance in a book, which I now produce. It was placed in a sort of press or closet over the room in the Great Chamberlain's office, in which my servant, George Sibien, a German, slept. This servant I had the highest opinion of. He had been for many years a soldier in the Imperial (French) Guards, and brought with him certificates of character of the first kind. He left my service about the 9th of June last and went to Germany. I never authorised him to take or give away the tapestry in question. The tapestry never was used as a carpet.

Ware was then called, and being cautioned, that he was an accused person, and was not bound to say anything that might criminate himself, said, he was willing to state all he knew about the matter. He was and had been for many years employed as a porter plying for jobs about the House of Lords. He knew Major M'Arthur's servant by the name of “ George ” only. The latter said to him in June last, “ Here is an old piece of tapestry, which has been used to lay down in the Great Chamberlain's office as a carpet. My master told me I might take it away, as it was a lumbering thing, and if you can make anything of it, you are welcome.” He (Ware) said he would not take it as a present, as he might most likely make a trifle of it, and therefore gave him 5s. for it, and took it to Mr.

Preston, to whom he sold it for 15s.

Sir F. Roe asked Major M'Arthur, if he was prepared to charge the man Ware (upon his belief) with being concerned in stealing the tapestry? and the reply of the Major was in the affirmative.

The Chief Magistrate then said, that in an ordinary case he should have had no hesitation in at once committing Ware to prison; but as it was necessary to delay the inquiry for a fortnight to procure the attendance of the German servant of Major M'Arthur, who was at present at Frankfort-on-the-Maine, he would take bail for his future appearance.

Bail was given to the amount of 400*l.* and Ware was liberated.

On the 19th, Sieben appeared at Bow Street, and was examined. This statement was as follows:—

“In the month of June last, I left Major M'Arthur's service. A day or two before I went, I spoke to Ware, a porter at the House of Lords, and told him that there was an old piece of carpet (*couverture*), which was of no use, and that I would sell it. Shortly after Ware came into the place where it was, in a wooden chest, and I showed it to him, and after some conversation he gave me 5*s.* for it. My master had never given me this carpet, nor any permission to take it. I remember my master showing it to Lord Cholmondeley, and he afterwards asked me, if I had put it by. My belief was, that it was an old piece of furniture of no value. I saw Ware take the tapestry away, and

he took it home to the house where he lived, and it is very possible that you will find it there now. Nobody is to blame. It is entirely my own fault.”

Sir F. Roe said, that Sieben had made his statement so frankly, that no imputation of felony rested upon him. From his own confession, however, he had acted very improperly in disposing of the tapestry without the knowledge or consent of his master, major M'Arthur; but it appeared, that he considered it of no value whatever, and sold it as he would have disposed of an old coat, or any other worn-out article.

Sir F. Roe, agreeably to the pledge he had previously given, directed that the tapestry should be restored to Mr. Thorn.

— THE BOOK-TRADE WITH FRANCE.—A table has been published in Paris of the importations and exportations of books between France and England, from 1821, to 1832, and their value. For the first five years, the increase was progressive; for the two following the number fell off; it again increased till the revolution, and has subsequently declined. In 1821, the numbers were:—

	Exportation from France to England.		Exportation from England to France.	
	vols.	francs	vols.	francs.
	81,127	407,584	19,086	110,375
In 1825	178,366	914,528	19,036	132,144
In 1830	108,897	554,545	12,714	154,276
In 1832	84,954	435,328	19,682	131,318

According to this table the number of volumes exported from France to England every year may be averaged at about 400,000, while Great Britain has exported only 80,000.

APPENDIX TO CHRONICLE.

LIST OF THE KING'S MINISTERS.

JANUARY.

Earl Grey	<i>First Lord of the Treasury.</i>
Marquess of Lansdowne.....	<i>President of the Council.</i>
Lord Brougham	<i>Lord Chancellor.</i>
Earl of Ripon.....	<i>Lord Privy-Seal.</i>
Viscount Althorp	<i>Chancellor of the Exchequer.</i>
Viscount Melbourne	<i>Secretary of State for the Home Depart.</i>
Viscount Palmerston	<i>Secretary of State for Foreign Affairs.</i>
Hon. E. G. S. Stanley	<i>Secretary of State for the Colonies.</i>
Right hon. C. Grant	<i>President of the Board of Control.</i>
Sir J. Graham.....	<i>First Lord of the Admiralty.</i>
Duke of Richmond	<i>Postmaster-General</i>
Lord Holland	<i>Chancellor of the Duchy of Lancaster.</i>
Lord J. Russell	<i>Paymaster of the Forces.</i>
Earl of Carlisle	

The above form the CABINET.

Right hon. E. J. Littleton.....	<i>Chief Secretary for Ireland.</i>
Duke of Norfolk.....	<i>Earl Marshal</i>
Duke of Devonshire	<i>Lord Chamberlain</i>
Duke of Argyll	<i>Lord Steward.</i>
Earl of Albemarle	<i>Master of the Horse.</i>
Marquess of Winchester	<i>Groom of the Stole.</i>
Lord Auckland	<i>§ Master of the Mint and President of the Board of Trade.</i>
Sir J. Kempt	<i>Master-General of the Ordnance.</i>
Right hon. C. P. Thomson	<i>Vice-president of the Board of Trade.</i>
Right hon. E. Ellice	<i>Secretary at War.</i>
Viscount Duncannon	<i>First Commissioner of Land Revenue.</i>
Sir W. Horne, Knt.	<i>Attorney General.</i>
Sir J. Campbell, Knt.	<i>Solicitor General.</i>

LIST OF THE KING'S MINISTERS.

ON THE 1st OF AUGUST, 1834.

Viscount Melbourne	<i>First Lord of the Treasury.</i>
Viscount Althorp	<i>Chancellor of the Exchequer.</i>
Lord Brougham	<i>Lord Chancellor.</i>
Marquess of Lansdown	<i>President of the Council.</i>
Earl of Mulgrave	<i>Lord Privy Seal.</i>
Viscount Duncannon	<i>Secretary of State for the Home Depart.</i>
Viscount Palmerston	<i>Secretary of State for Foreign Affairs.</i>
Right hon. S. Rice	<i>Secretary of State for the Colonies.</i>
Lord Auckland	<i>First Lord of the Admiralty.</i>
Right hon. Charles Grant.....	<i>President of the Board of Control.</i>
Marquess of Conyngham	<i>Postmaster-General.</i>
Lord Holland.....	<i>Chancellor of the Duchy of Lancaster.</i>
Lord John Russell	<i>Paymaster of the Forces.</i>
Right hon. Edward John Littleton	<i>Chief Secretary for Ireland.</i>

The above form the CABINET.

Right hon. Edward Ellice.....	<i>Secretary at War.</i>
Sir James Kempt	<i>Master-General of the Ordnance.</i>
Right hon. James Abercromby	<i>{ Master of the Mint and President of</i> <i>the Board of Trade.</i>
Duke of Devonshire	<i>Lord Chamberlain.</i>
Duke of Argyll	<i>Lord Steward.</i>
Earl of Albemarle	<i>Master of the Horse.</i>
Marquess of Winchester	<i>Groom of the Stole.</i>
Sir J. C. Hobhouse.....	<i>First Commissioner of Land Revenue.</i>
Right hon. Charles Poulett Thomson ..	<i>{ Treasurer of the Navy and Vice-Pre-</i> <i>sident of the Board of Trade.</i>
Sir John Campbell, knt.....	<i>Attorney-General.</i>
Sir C. C. Pepys, knt.	<i>Solicitor-General.</i>

IRELAND.

Marquess Wellesley	<i>Lord Lieutenant.</i>
Lord Plunkett.....	<i>Lord Chancellor.</i>
Lieut.-gen. sir Richard H. Vivian, bart.	<i>Commander of the Forces.</i>
Right hon. Francis Blackburn	<i>Attorney General.</i>
Philip Crampton, esq.	<i>Solicitor General.</i>

LIST OF THE KING'S MINISTERS.

DECEMBER.

Right hon. Sir R. Peel !.....	{ <i>First Lord of the Treasury.</i> <i>Chancellor of the Exchequer.</i>
Lord Lyndhurst	<i>Lord Chancellor.</i>
Earl of Rosslyn	<i>President of the Council.</i>
Lord Wharncliffe	<i>Lord Privy-Seal.</i>
Right hon. Henry Goulburn.....	<i>Secretary of State for the Home Depart.</i>
Duke of Wellington	<i>Secretary of State for Foreign Affairs.</i>
Earl of Aberdeen	<i>Secretary of State for the Colonies.</i>
Earl de Grey	<i>First Lord of the Admiralty.</i>
Right hon. Sir Henry Hardinge.....	<i>Chief Secretary for Ireland.</i>
Lord Ellenborough.....	<i>President of the Board of Control.</i>
Right hon. Alexander Baring	{ <i>Master of the Mint, and President</i> <i>of the Board of Trade.</i>
Right hon. Sir Edward Knatchbull, Bart.	<i>Paymaster of the Forces.</i>
Right hon. John Charles Herries.....	<i>Secretary at War.</i>
Right hon. Sir George Murray	<i>Master-General of the Ordnance.</i>

The above form the CABINET.

Lord Maryborough.....	<i>Postmaster-General.</i>
Earl of Jersey	<i>Lord Chamberlain.</i>
Earl of Wilton.....	<i>Lord Steward</i>
Duke of Dorset	<i>Master of the Horse.</i>
Marquess of Winchester	<i>Groom of the Stole.</i>
Viscount Lowther	<i>Vice-President of the Board of Trade</i> <i>and Treasurer of the Navy.</i>
Lord Granville Somerset	<i>First Commissioner of Land Revenue.</i>
Right hon. Charles W. W. Wynn	<i>Chancellor of the Duchy of Lancaster.</i>
Sir Frederick Pollock.....	<i>Attorney-General.</i>
Sir William W. Follett	<i>Solicitor-General.</i>

IRELAND.

Earl of Haddington	<i>Lord-Lieutenant of Ireland.</i>
Sir Edward Sugden.....	<i>Lord Chancellor.</i>
Sir Richard Hussey Vivian	<i>Commander of the Forces.</i>
Edward Pennefather esq.	<i>Attorney-General.</i>
Jos. D. Jackson, esq.....	<i>Solicitor-General.</i>

SHERIFFS FOR THE YEAR 1834-5.

<i>Bedfordshire</i>	Charles James Metcalfe, of Roxton, esq.
<i>Berkshire</i>	Bartholomew Wroughton, of Woolley Park, esq.
<i>Bucks</i>	Right hon. Sir Gore Ouseley, Bart. Hall Barn Park.
<i>Cambridge and Hunt- ingdonshire</i>	John Fryer, of Charteris, esq.
<i>Cheshire</i>	James Heath Leigh, of Grappenhall Lodge.
<i>Cornwall</i>	John Buller, of Morval, esq.
<i>Cumberland</i>	Richard Ferguson, of Harker Lodge, esq.
<i>Derbyshire</i>	Ashton Nich. E. Mosley, of Burnaston House, esq.
<i>Devonshire</i>	Samuel Trehawke Kekewich, of Peamore, esq.
<i>Dorsetshire</i>	Sir Henry Digby, of Minterne Magna, Knt.
<i>Essex</i>	George William Gent, of Moyns Park, esq.
<i>Gloucestershire</i>	Henry Wenman Newman, of Thornbury Park, esq.
<i>Hampshire</i>	Henry Weyland Powell, of Foxlease, esq.
<i>Herefordshire</i>	Richard Webb, of Donnington Hall, esq.
<i>Hertfordshire</i>	William Robert Baker, of Bayfordbury, esq.
<i>Kent</i>	John Ward, of Holwood, esq.
<i>Leicestershire</i>	William Herrick, of Beaumanor, esq.
<i>Lincolnshire</i>	Thomas Earle Welby, of Allington Hall, esq.
<i>Monmouthshire</i>	Charles Marriott, of Dixon, esq.
<i>Norfolk</i>	Hudson Gurney, of Keswick, esq.
<i>Northamptonshire</i>	Lewis Loyd, of Overstone Park, esq.
<i>Northumberland</i>	Bertram Mitford, of Mitford Castle, esq.
<i>Nottinghamshire</i>	Christopher Nevile, of Thorney, esq.
<i>Oxfordshire</i>	John Fane, of Wormsley, esq.
<i>Rutlandshire</i>	Godfrey Kemp, of Belton, esq.
<i>Shropshire</i>	Sir Baldwin Leighton, of Loton, Bart.
<i>Somersetshire</i>	William Manning Dodington, of Horsington, esq.
<i>Staffordshire</i>	Edward Monckton, of Somerford, esq.
<i>Suffolk</i>	Robert Sayer, of Sibton Park, esq.
<i>Surrey</i>	James Shudi Broadwood, of Lyne House, esq.
<i>Sussex</i>	Charles Dixon, of Stanstead Park, esq.
<i>Warwickshire</i>	Hon. Charles Bertie Percy, of Guy's Cliff.
<i>Wiltshire</i>	Henry Seymour, of Knoyle, esq.
<i>Worcestershire</i>	Sir Edward Blount, of Mawley Hall, Bart.
<i>Yorkshire</i>	Richard Henry Roundell, of Gledstone, esq.

SOUTH-WALES.

<i>Breconshire</i>	Sir Edward Hamilton, of Treblinshun, Bart.
<i>Cardiganshire</i>	Thomas Davies, of Nantgwan, esq.
<i>Carmathenshire</i>	Edward Rose Tunno, of Llangenneck Park, esq.
<i>Glamorganshire</i>	John Dillwyn Llewelyn, of Penllergare, esq.
<i>Pembrokeshire</i>	Nicholas Roch, of Cocheston, esq.
<i>Radnorshire</i>	Thomas Williams, of Crossfoot, esq.

NORTH-WALES.

<i>Angleseyhire</i>	William Hughes, of Plas Llandyfrydog, esq.
<i>Carnarvonshire</i>	John Morgan, of Wegg, esq.
<i>Denbighshire</i>	Sir Robert Henry Cunliffe, of Acton Park, Bart.
<i>Flintshire</i>	Charles Blaney Trevor Roper, of Plasteg, esq.
<i>Merionethshire</i>	F. H. Lewis, of Dolgun, esq.
<i>Montgomeryshire</i>	Hugh Davies Griffiths, of Llechweddgarth, esq.

BIRTHS.

JANUARY.

4. At Edenhall, Cumberland, the lady of sir Christopher Musgrave, bart. a daughter.

6. At Catisfield House, near Fareham, Hants, the lady of lieut.-col. E. Byam, a daughter.

— The wife of the rev. John M. Echalaz, rector of Appleby, county of Leicester, a son.

7. At Edwardes-square, Kensington, Mrs. Major Thornton, a son.

— At the Principal's Lodgings, Brasenose College, Oxford, Mrs. Gilbert, a daughter.

13. At Penzance, the wife of col. Glover, a son.

16. At Sutton-Mandeville, the wife of the rev. W. Knatchbull, a son.

— In Belgrave-street, the wife of T. Bulkeley, esq. (1st Life Guards) a son.

17. In Harley-street, the wife of John Forbes, esq. a daughter.

— At Spithead, on board the James Pattison, the lady of governor sir James Stirling, R.N. a son.

21. At Old Windsor, the hon. Mrs. Every, a son.

26. At Munich, the lady Dormer, a son.

— At Bath, the wife of capt. Stevenson, a daughter.

27. The countess of Lincoln, a son and heir.

FEBRUARY.

2. At Reading, the wife of the rev. H. H. Milman, a son.

4. At Albemarle-street, the wife of the hon. Mr. Warrender, a daughter.

5. At Trereise House, Cornwall, the wife of Day Perry Le Grice, esq. a daughter.

8. At Powis Castle, lady Lucy Clive, a son.

— At Llysnewydd, Carmarthenshire, the wife of John Harry Hammond Spencer, esq. a son.

10. At Rome, the hon. Mrs. Hamilton, a daughter.

12. At Montague-square, the hon. Mrs. Trotter, of Ballindean, a son.

17. At Weymouth, the wife of lieut.-col. Melville Browne, a daughter.

24. At Awliscombe Vicarage, lady Prideaux, a daughter.

28. At Clifton, the wife of the hon. W. H. Yelverton, a daughter.

MARCH.

6. The lady of sir Sandford Graham, bart. a son.

12. In Upper Harley-street, the wife of J. Morrison, esq. M.P. a son.

— In Montague-street, Portman-square, the wife of lieut.-col. Todd, a daughter.

17. Lady Susan Lygon, a son.

27. At Ingestre, Staffordshire, lady Sarah Ingestre, a son.

— At Woolley Hall, Berkshire, the wife of the rev. A. P. Clayton, a son.

— At Berechurch Hall, Essex, the wife of Thomas White, esq. a son and heir.

30. At Clifton, the wife of capt. Prescott, C.B. R.N. a daughter.

— At Whitbourne, Herefordshire, the wife of the rev. R. Briscoe, a daughter.

31. In Dorset-place, Dorset-square, the wife of major Hitchens, deputy-adj. gen. Madras, a son.

Lately, the hon. Mrs. Grey, a son.

APRIL.

1. The hon. Mrs. Vernon, a son.

4. At Bank Hall, Lancashire, the wife of John Wilson Patten, esq. M.P. a daughter.

5. At Mersham Hatch, the wife of sir Edward Knatchbull, bart. a daughter.

7. At Blackbrook House, the wife of lieut.-col. Francis Le Blanc, a daughter.

— At her father's, the hon. and rev. Dr. Marsham, Kirby Overblow, the wife of lieut.-col. Mac Lean, 81st Reg. a daughter.

9. The wife of sir James Lake, bart. a son.

11. In Old Palace Yard, the wife of John Jervis, esq. M.P. a son.

13. At Bury, the wife of E. G. Hornby, esq. M.P. a daughter.

— The wife of the hon. Thomas R. Keppel, a daughter.

14. At the Rectory, Amersham, the wife of the rev. John Tyrwhitt Drake, a son.

19. At Corseley House, near Warminster, the wife of lieut.-col. Fawcett, a son.

20. The wife of Edward Woolmer, esq. Mayor of Exeter, a daughter.

21. At Mereworth Rectory, the hon. lady Stapleton, a son.

23. At Sandwell, the Countess of Dartmouth, a son.

BIRTHS.

23. At the Gothic, Kentish-town, the wife of sir James Williams, a son.

26. The lady of sir Codrington Edmund Carrington, of Chalfont St. Giles, Bucks, a daughter.

27. In Yorkshire, the wife of the hon. and rev. R. Plunket, a daughter.

28. In Upper Harley-street, the wife of Edmund Pepys, esq. a son.

30. At Strete Raleigh, the wife of capt. Buller, R.N. a son.

— At Upton House, the hon. Mrs. Doughty, wife of the High Sheriff of Dorset, a daughter.

— In Eaton-place, Mrs. Lubbock, a son and heir.

MAY.

1. At Adlestrop, Gloucestershire, the hon. Mrs. Twisleton, a son.

2. At Shenston Moss, Staffordshire, the wife of major Wyndham, Royal Scots Greys, a daughter.

4. At St. John's, Newfoundland, the lady of the hon. chief-judge Boulton, a son.

— The wife of R. S. Courtis, esq. Mayor of Falmouth, a daughter.

9. The countess of Galloway, a daughter.

— The wife of sir Francis C. Knowles, bart. a daughter.

11. At Herring Court, Richmond, the right hon. lady Louth, a daughter.

12. At Denby Grange, county of York, the lady of sir John L. L. Kaye, bart. a son.

23. At Weymouth, the wife of major R. Vandaleur, a daughter.

24. At Hood House, Totness, the wife of lieut.-col. Hill, C.B. a son.

25. At Seaton, Devonshire, the wife of capt. William H. Proby, R.N. a son.

28. At the residence of his mother, lady Wm. Seymour, the lady of Henry Seymour, esq. a son.

31. At Spye Park Lodge, the wife of J. E. A. Starky, esq. a son and heir.

— In Wimpole-street, the Countess Winterton, a daughter.

— At Brighton, the hon. Mrs. Anderson, a son.

JUNE.

2. At the Vicarage, Batheaston, the wife of the rev. Spencer Madan, a son.

4. The wife of J. H. Vivian, esq. M.P. a son.

— The countess Dundonald, a son.

7. At Chatham, lady Hardinge, wife of H. T. Jones, esq. a son.

9. At Blatherwycke Park, Northamptonshire, Mrs. Augustus Fitzroy, a son.

— The wife of John Wilson, esq. of Normanton Hall, Leicestershire, a daughter.

— Lady Henry Thynne, a daughter.

10. In Wimpole-street, the lady of sir Philip Grey Egerton, of Oulton Park, Cheshire, a daughter.

— In Berkeley-square, the Countess of Darnley, a son.

11. Viscountess Fordwich, a son.

— In Edinburgh, the hon. Mrs. Richard Beaumont, a daughter.

12. In Upper Gloucester-place, the wife of lieut.-col. James Tod, a son.

— The wife of M. D. Hill, esq. M.P. for Hull, a son.

14. In Eaton-place, the hon. Mrs. Osborne, a son.

— In Ireland, the viscountess Ennismore, a daughter.

15. At Wandsworth, the wife of the hon. and rev. Horace Powys, a daughter.

— At Bryanstone House, Dorset, the lady Emma Portman, a daughter.

16. The duchess of Sutherland, a daughter.

18. The marchioness of Ailesbury, a son.

19. At Bath, the wife of the hon. R. H. Browne, 9th Hussars, a son.

20. The countess of Sheffield, a son.

22. At Skelbrooke Park, the lady Louisa Cator, a son.

— At Bower Hall, the wife of Charles Drummond, esq. a son.

24. In James-street, Buckingham-gate, the wife of J. Pease, esq. M.P. a son.

28. Lady Katharine Jermyn, a son and heir.

Lately. The lady Louisa Pole, a daughter.

— At Edinburgh, the wife of R. Stewart, esq. M.P. a daughter.

JULY.

1. Lady Suffield, a son.

— At Waldeshare Park, the countess Guildford, a son.

6. In London, marchioness of Abercorn, a daughter.

— At Milford House, Lymington, the wife of lieut.-col. D'Arcy, a daughter.

11. At Bloxworth House, Dorset, the wife of J. H. Lethbridge, esq. a daughter.

12. At Tunbridge Wells, the wife of col. Hull, of Wimbledon-common, a son

BIRTHS.

— At Oxford, the wife of the rev. Dr. Cardwell, Principal of Alban Hall, and Camden Professor of History, a son.

15. At Brednall rectory, Derby, the wife of the rev. H. R. Crewe, a daughter.

17. At Flimby, Cumberland, the lady of Sir T. S. Pasley, bart. a son.

21. At Dublin, the wife of lieut.-col. King, K. H. a daughter.

25. In Sackville-street, the lady of sir Seymour Blane, bart. a son.

— At the archbishop of Canterbury's, Addington Park, Surrey, the lady of sir George Beaumont, bart. a daughter.

26. At Kempston, the wife of col. Greenstreet, a daughter.

27. At Thornes-house, the wife of J. Milnes Gaskell, esq. M. P. for Wenlock, a daughter.

31. In Lincoln's-Inn-Fields, the wife of P. B. Brodie, esq. a son.

AUGUST.

3. At Weston-super-Mare, the wife of major W. Godley, a daughter.

— At Blackheath, lady Barbara Newdigate, a son.

6. At Cardington, Beds, the wife of Samuel Whitbread, esq. a son.

8. In St. James's-square, lady John Thynne, a son.

12. At Swanbourne, Bucks, lady Fremantle, a son.

14. At Southampton, the wife of capt. Inglefield, R. N. a son.

15. At Eaton-place, lady Thomas Hay, a son.

— In Cumberland-terrace, Regent's-park, the wife of lieut.-col. Ashworth a daughter.

16. At Moore Abbey, Kildare, lady Henry Moore, a daughter.

19. At Putney Heath, at the Marquess of Bristol's, lady Augusta Seymour, a daughter.

22. In Whitehall-place, the wife of J. B. Childers, esq. M. P. a daughter.

25. At Luffness, N. B. the right hon. lady Henry Kerr, a daughter.

26. At North-bank, Regent's-park, the wife of deputy commissary-general Cumming, a son.

— In Hill-street, viscountess Encumbe, a daughter.

— At Little Aston-Hall, Staffordshire, the wife of W. Leigh, esq. a daughter.

27. In Park Crescent, the wife of the hon. baron Alderson, a son.

— At Cheltenham, the lady of Sir W.

Marjoribanks, bart. a daughter.

28. At Edinburgh, the lady of sir Ralph A. Anstruther, bart. a son and heir.

31. At Elvetham, near Hartford-bridge, lady Charlotte Calthorpe, a daughter.

Lately. The lady of the rev. sir Henry Rivers, a son.

SEPTEMBER.

4. At Windsor, the wife of col. Milman, Coldstream Guards, a son.

5. The right hon. lady Burghersh, a daughter.

— In Devonshire-place, the wife of Major Dashwood, a daughter.

6. At Tichborne, Hants, the right hon. lady Arundell, a son.

9. At Over Norton, the wife of lieut.-col. Dawkins, a daughter.

10. At the Cape of Good Hope, the lady of Sir John Herschel, a daughter.

12. At Bicesta, the viscountess Chetwynd, a son.

14. The hon. Mrs. S. Bathurst, a daughter.

19. At Beckingham, near Gainsborough, the lady of sir Joseph Rudsdell, knt. a son and heir.

22. At Errol Park, Perthshire, the lady Henrietta Allen, a daughter.

23. At Scarborough, lady Blackett, a daughter.

— The wife of lieut.-col. Rolt, a daughter.

27. At St. Petersburg, the wife of the Grand Duke Michael, a daughter.

— The lady of sir Peregrine Palmer Fuller Palmer Acland, bart. of Fairfield, county of Somerset, a son and heir.

28. The wife of Spencer Perceval, esq. a daughter.

Lately. The lady of the hon. Philip Stourton, a daughter.

OCTOBER.

1 At Hoydon Rectory, the wife of the rev. Evan Nepean, a son.

2. In Grosvenor-place, the lady of sir James Graham, bart. a daughter.

— At Oatlands, lady Francis Egerton, a son.

3. At Horfield Parsonage, the wife of the rev. H. Richards, a daughter.

4. Lady Henry Cholmondely, a son.

— At Charlton, the wife of capt. Saunders, R. A. a son.

6. At Gillibrand Hall, Lancashire,

BIRTHS.

the wife of H. H. Fazakerley, esq. a son.

8. The hon. Mrs. Martin, wife of captain Fanshawe Martin, R. N. a son.

— At Kirby Rectory, Nottinghamshire, the hon. Mrs. John Vernon, a son.

11. At Rempstone, Dorset, the lady Caroline Calcraft, a son.

14. At Chertsea, the wife of capt. Edward Dyer, a son.

16. At Leamington, lady Edmonstone, a daughter.

— At Dover, the wife of W. P. Williams Freeman, esq. of Fawley-court, a son and heir.

17. At 49, Berkeley-square, Mrs. Wyndham Portman, a daughter.

18. At Brighton, the wife of J. Newton Wigley, esq. M. P. a daughter.

18. At Brighton, Lady Jane Laurence Peel, a daughter.

19. At the Royal Hospital, Dublin, the wife of lieut.-col. Arbuthnot, a daughter.

— In York-terrace, Regent's-park, the wife of the rev. Wm. Dodsworth, a daughter.

20. At Broomfield House, Middlesex, the wife of H. P. Powys, esq. a daughter.

— At Oxford, the wife of Dr. Bishop, a son.

21. At Stellenberg, Tunbridge Wells, the wife of col. Christopher Hodgson, a daughter.

22. At the Rectory, Hartshorne, Derbyshire, Mrs. Henry Buckley, a daughter.

25. At Spye Park Lodge, Wilts, the wife of Cuthbert Johnson, esq. a daughter.

27. At Acworth Park, the wife of John Gully, esq. M. P. a son.

28. In Torrington-square, the lady of Sir Harry Nicolas, K. C. M. G. a son.

— At Barford House, Warwick, the wife of capt. Rattray, R. N. a son.

31. In Belgrave-street, the right hon. the countess of Munster, a daughter.

Lately. At Vienna, the princess Metternich, a son.

— The wife of the rev. S. Lysons, rector of Rodmarton, Gloucestershire, a daughter.

— At Wilton-place, Belgrave-square, the wife of George Raymond, esq. a daughter.

NOVEMBER.

3. In Montagu-square, the wife of capt. R. H. Fuller, R. N. a daughter.

— At Chesterfield House, the countess of Chesterfield, a daughter.

8. At Leyton, Essex, the wife of

William Taylor Copeland, esq. M. P. and Alderman, a daughter.

8. At Tatton Park, Chester, lady Charlotte Egerton, a son.

21. At the dowager lady Arundel's, the hon. Mrs. Neave, a son.

Lately. At St. Clare, Isle of Wight, the hon. Mrs. Nevil Reid, a daughter.

— At Edinburgh, the wife of col. Pitman, a daughter.

— At Leigh House, Wilts, the lady of sir T. Fellowes, a daughter.

DECEMBER.

11. The wife of Colonel Delamain, a daughter.

15. In Whitehall-place, lady Culling Smith, a daughter.

— At Towcester, lady Jane Ram, a daughter.

MARRIAGES.

JANUARY.

1. At Clifton, the rev. S. Lysons, rector of Rodmarton, Gloucestershire, to Teresina, eldest daughter of major-gen. Moore, C. B.

3. At Edinburgh, James Ker, esq. Madras service, to Elizabeth, second daughter of sir James Montgomery, of Stanhope, bart.

4. At Alverstoke, Hants, Henry Dixon, esq. of Isleworth, to Selina, second daughter of the late Dr. Burney, of Gosport.

6. At Paris, Arthur Freese, esq. of the Madras Civil Service, to Eliza Charlotte, eldest daughter of W. Gardener Burn, esq. formerly of Exeter.

— At St. Mary's, Bryanston-square, count G. S. M. Anzolato, a nobleman of the Ionian Islands, to Marianne Pillichody de Bavoy, of Gloucester-place, Portman-square, only child of the late capt. Pillichody, 41st Foot.

7. At Bedford, Frederick Pollock, esq. M. P. for Huntingdon, to Sarah Anne Amowab, second daughter of capt. Richard Langslow, of Hatton, Middlesex.

8. At Marylebone Church, W. J. King, esq. of York-terrace, Regent's-park, to Emma Louisa, second daughter of lieut. col. Blake.

— Henry Gore Booth, esq. second son of the late sir R. G. Booth, bart. to Isabella, second daughter of James Smith, esq. of Jordan-hill.

9. At Paddington, B. H. Guinness,

MARRIAGES.

esq. third son of the rev. Dr. Guinness, chancellor of St. Patrick's Dublin, to Anna, fourth daughter of the late rev. John Shepherd.

— At Lord Tenterden's, in Portman-square, the hon. C. Abbot, brother of the present and son of the late Lord Tenterden, to Emily, daughter of Lord George Stuart, and grand-daughter of the late Marquis of Bute.

— At St. James's, H. W. Atkinson, esq. late 7th Dragoon Guards, to Laura, fourth daughter of the late James Taylor, esq. of Wimpole-street.

13. At Southampton, N. W. Greene, esq. Beanacre, Wilts, to Frances Sophia, eldest daughter of the late capt. Frederick Campbell, 42nd Highlanders.

— At Southampton, K. G. Hubbuck, esq. of Kensington, to Frances, third daughter of the late lord Charles Beauchamp Kerr, and grand-daughter to the late marquis of Lothian.

14. At St. George's, Hanover-square, Mr. Barham, to the lady Katherine Grimston, eldest daughter of the earl and countess of Verulam.

— At St. Marylebone Church, capt. Hamilton, only son of lieut.-gen. sir John Hamilton, bart. to Marianna Augusta, only child of major-gen. sir James Cockburn, of Langton, bart.

— At Walcot, J. A. Roebuck, esq. M.P. to Henrietta, daughter of Dr. Falconer.

15. At Keswick, Cumberland, the rev. J. Wood Worter, to Edith Mary, eldest daughter of R. Southey, esq. Poet Laureate.

18. At the Castle, Dublin, Frederick Willis, esq. 9th Royal Lancers, to Elizabeth Louisa, eldest daughter of sir W. Gosset, Under Secretary of State for Ireland.

21. John Matthew Quantock, esq. of Norton, Somersetshire, to Sophia, only daughter of Lionel Place, esq. of Waddington Castle, Warwickshire.

— At Newport, Isle of Wight, William Spencer, esq. to Jane, daughter of the late lieut.-col. Forster, of E. I. C.

— At Bath, H. P. T. Aubrey, esq. of Broom Hall, Salop, to Mary, eldest daughter of the late Charles Luxmore, esq. of Witherdon.

23. At Paddington, J. T. Williams, esq. to Elizabeth Sophia, eldest daughter of sir Richard Ottley, late chief-justice of Ceylon.

24. At Dublin, Charles Patten Vale, esq. late inspector-gen. of civil public

accounts in Ireland, to Eliza Sarah, second daughter of Charles Coote, of Belamont Forest, esq. and niece to the late lord baron Cremorne.

24. At the Mauritius, the rev. Langrishe Banks, second Colonial chaplain, to Louisa, eldest daughter of lieut.-col. Fyers.

26. At Naples, count Ferdinand de Lucchesi Palli, uncle of the husband of the duchess of Berri, to Mademoiselle Rodi, *prima donna* of the theatre La Scala.

29. At Remenham, John Colquhoun, esq. second son of sir J. Colquhoun, bart. to Frances Sarah, fourth daughter of E. F. Maitland, esq. of Henley on Thames.

30. At St. George's, Hanover-square, major Gore Browne, to Mary Anne, daughter of Benjamin Benyon, esq. M.P.

— John Clervaux, second son of sir William Chaytor, bart. M. P. of Witton Castle, Durham, to Lydia Frances, eldest daughter of Thomas Browne, esq. New Grove.

— At Spottiswoode, sir Hugh P. Hume Campbell, of Marchmont, bart. M. P. county of Berwick, to Margaret Penelope, younger daughter of J. Spottiswoode, esq. of Spottiswoode.

FEBRUARY.

1. At St. Mary, Marylebone, F. A. Campbell, esq. R. M., to Mary, eldest daughter of col. Kemp, of Gloucester-place, Portman-square.

— At Bexley, T. Lewin, esq. of Lincoln's-inn, to Charlotte, second daughter of T. Lewin, esq. of Holles Park, Bexley.

4. At St. George's, Hanover-square, sir Keith Alexander Jackson, bart. to Amelia, only daughter of the late Geo. Waddell, esq. Hon. E. I. C.

— At St. George's, Hanover-square, Frederick Barne, Esq. of Sotterley, Suffolk, to Mary Anne Elizabeth, eldest daughter of the late sir John Courtenay Honeywood, bart.

— At Edinburgh, Steuart Bayley Hare, esq. of Calder Hall, to Mary Anne, daughter of the hon. Alexander Macconochie, of Meadowbank.

6. At Exeter, sir H. Maturin Farrington, bart. to Susanna, daughter of the late Robert Kekewich, esq. of Heavitree.

— At Westbury, William Fripp, esq. of Cote House, to Frances, daughter of rear admiral Barker.

MARRIAGES.

6. At Richmond, in Surrey, the rev. Lister Venables, rector of Whitney, in Herefordshire, and eldest son of the ven. arch. Venables, to Mary Augusta, widow of the late F. J. Adam, esq. and eldest daughter of gen. Poltoratsky.

18. At St. George's, Hanover-square John Lee Lee, esq. M. P. for Dillington, Somerset, to Jessy, only daughter of the late J. E. Vaughan, esq. of Rheold, Glamorganshire, M. P. for Wells.

22. At St. George's, Hanover-square, Dr. J. C. Ferrier, to Caroline, daughter of capt. R. Macdonell, late of Glenturret, N. B.

24. At Cheshunt, Herts, Alfred Pett, M. D. of Tottenham, to Louisa, daughter of J. D. Aubert, esq.

25. At Coventry, A. F. Gregory, esq. of Stivichall, Warwick, to Caroline, daughter of lieut.-col. Hood, eldest son of viscount Hood, of Whitley Abbey.

— At Dublin, the rev. T. Lawrence, Sidney Jane, eldest daughter of sir Clarke, M. D.

15. At Michaelstone, y, Vedw, Monmouthshire, sir John Lewis Duntze, bart. of Tiverton, to Frances Elizabeth, daughter of the rev. J. Coles.

— At Great Maplestead, Frederick Luard Wollaston, esq. barrister, to Diana Harriet, second daughter of J. Sperling, esq. of Dynes Hall, Essex.

18. At the residence of viscount Duncannon, Cavendish-square, the earl of Kerry, to the hon. Augusta Ponsonby.

— At Naples, Edward B. Hartopp, esq. of Dalby Hall, Leicestershire, to Honor, daughter of the late major-gen. Gent.

20. At St. George's, Hanover-square, the earl of Glengall, to Margaret Lauretta, youngest daughter of the late W. Mellish, esq. of Woodford, Essex.

31. At Alton Towers, the seat of the earl of Shrewsbury, major Bishopp, to Elizabeth, relict of the late R. Dormer, esq.

— In Green-street, Grosvenor-square, lady East, sister to Hylton Jolliffe, esq. M. P. for Petersfield, to the hon. J. C. Westenra, third son of lord Rossmore, lieut.-col. in the Scotch Fusileers.

— The rev. H. Jenkyns, professor of Greek in the University of Durham, to Harriet, eldest daughter of the right hon. H. Hobhouse, of Hadsen, Somerset.

MARCH.

5. The rev. J. E. Tyler, B. D. rector of St. Giles's-in-the-Fields, London, to Jane, only daughter of Divie Robertson, esq. of Bedford-square.

— At Chelsea, Ashburnham Henry, son of Ashburnham Butley, esq. to Frances Helen, only child and heiress of the late Neptune Blood, esq. of Sloane-street.

— At Dover, H. Shore Milner Bouchette, son of the surveyor-general of Canada, to Marianne, and G. S. Smith, esq. Dragoon Guards, to Georgiana, daughter of the hon. Herbert Gardner.

9. At Brighton, the rev. R. Farquharson, to Louisa, only daughter of the late gen. R. Crauford.

11. At Blaytheruyche, Gerard Noel, esq. nephew of lord Barham, to Sophia Liliass, daughter of Stafford O'Brien, esq. of Blaytheruyche Park, Northamptonshire.

12. At St. George's, Hanover-square, the hon. Edward Cecil Curzon, to Emily, sixth daughter of J. Daniell, esq.

13. At Whitchurch, in Oxon, the rev. P. Arden Cooper, to Amelia Frances, daughter of Philip Lybbe Powys, esq. of Hardwick House, Oxon.

— At Marylebone Church, S. Marinadin, esq. 2nd. Life Guards, to Isabella, eldest daughter of A. Colville, esq. of Berkeley-street, and niece of lord Auckland.

APRIL.

2. At Bath, G. Lowther, esq. of Astley, to Julia, second daughter of the late rev. W. Trevelyan, and grand-daughter of the late sir J. Trevelyan, bart. of Nettlecombe Park.

— At Woburn, lord Charles James Fox Russell, sixth son of the duke of Bedford, to Isabella Clarissa, daughter of the late W. Davies, esq. of Pen-y-lan, county of Carmarthen, and grand-daughter to the late lord Robert Seymour.

3. At St. George's, Hanover-square, the rev. R. Fiennes Wykeham Martin, to Mary, second daughter of Neill Malcomb, esq. of Poltallach, Argyleshire.

8. At Ardcarne, C. Leslie, esq. son to the bishop of Elphin, to the hon. Miss Frances King, daughter of the lord viscount Lorton.

10. At Paris, baron Louis Robert Jean de Noé, 5th Hussars, to Louisa Helena, eldest daughter of the late J. Burke, esq. of York-place, Portman-square.

— At Plaxtol, Kent, the rev. W. Waldegrave Park, youngest son of the

MARRIAGES.

hon. Mr. Justice Park, to Elizabeth Jane, youngest daughter of Edmund Yates, esq. of Fairlawn, Kent.

10. At Leamington Priors, Archibald M'Blane, esq. to Mary Magdalene, eldest daughter of Thomas Delves Broughton, esq. and niece to gen. sir John Delves Broughton, bart. of Doddington Hall, Cheshire.

— At St. Mary's, Bryanstone-square, London, Silas Saul, esq. of Carlisle, to Lucy Maria, daughter of the late col. Richard Clarke, C. B. of the Bengal Cavalry.

— At Stogumber, Somerset, the rev. Thomas Prowse Lethbridge, youngest son of sir Thomas Buckler Lethbridge, bart. of Sandhill Park, to Isabella, youngest daughter of the rev. Thomas S. Escott, of Hartrow.

16. Edward Ings, esq. of the Inner Temple, to Belle Emily Lydia, daughter of Fulmer Craven, esq. of Craven House, Hants, and Chilton House, Berks.

17. At East Bourn, Sussex, John S. Enys, esq. of Enys, Cornwall, to Catherine Gilbert, eldest daughter of Davies Gilbert, of that place, and of Tredrea, Cornwall, late president of the Royal Society, and member for Bodmin.

— At Weston-super-mare, the rev. Edward Ness, M.A. to Laura Henrietta, only daughter of the late Francis James Jackson, esq. H. M. Minister Plenipotentiary to the United States of America.

— At Kinfauns Castle, Perthshire, capt. Ainslie, Royal dragoons, to the hon. Jane Ann, youngest daughter of the lord Gray, of Gray and Kinfauns.

22. The hon. W. Butler, of Rathillig Park, Queen's county, to Maria Teresa, daughter of sir Joshua Meredyth, bart.

— At Chelsea, the rev. Edward Lane Sayer, to Harriet Emma, fourth daughter of the late rev. W. Carlisle, rector of Sutton, Derbyshire.

23. At Battersea, the hon. J. T. Leslie Melville, to Sophia, daughter of the late H. Thornton, esq. of Battersea-rise.

30. At Clifton, the hon. capt. Ponsonby, late 8th Hussars, to Mary, youngest daughter of the right hon. lady Cecilia Latouche.

MAY.

5. At Walcot, J. H. England, 75th Regiment, youngest son of lieut.-gen. England, to Sophia, third daughter of T. Daniel, esq. of Michael Court, Herefordshire.

At Datchworth, Hertford, the rev.

J. Hesse, rector of Knebworth, to Susanna, second daughter of J. Green, esq. of Bragbury End.

— At Cheltenham, capt. J. H. Murray, R.N. to Fanny, daughter of the hon. Mrs. Pelham, Sussex.

10. At Great Malvern, the right hon. Spencer Bulkeley, baron Newborough, of Glynllivon Park, Carnarvon, to Frances Maria, eldest daughter of the rev. W. Wilkins, of Hay Castle, Brecknock.

— At Frimley, the hon. Levison Granville Keith Murray, to Louisa Mitty, only daughter of Thomas Abraham, esq. of Chapel House, Surrey.

— Charles Lowther, esq. second son of sir John Lowther, bart. of Swillington, Yorkshire, to Isabella, eldest daughter of the rev. R. Morehead, D.D. rector of Easington.

12. At All Saints, Southampton, H. Desborough, esq. to Mary, daughter of the late lieut.-gen. Desborough.

13. At St. James's, T. Coltman, esq. 10th Hussars, to Mary Anne, widow of D. H. Dallas, esq. son of lieut.-gen. sir Thomas Dallas.

14. In Park-street, the hon. H. Butler, third son of the right hon. lord Dunboyne, to Isabella Margaret Munro Johnstone, only daughter of the late sir Alexander Munro, of Novar, Ross-shire.

19. At Florence, the hon. George Edgecumbe, youngest son of the earl of Mount Edgecumbe, to Fanny Lucy Shelley, eldest daughter of Sir John Shelley, bart.

22. W. F. Farrer, esq. of Brafield House, Bucks, to Fanny Ricarda, only child of col. L. P. Jones, of North Wales, and niece of sir Charles Wetherell.

27. At St. George's, Hanover-square, viscount Corry, to Emily Louisa, daughter of the late W. Shepherd, of Bradbourne, Kent.

31. At Trinity Church, Marylebone, the rev. Fred. T. W. C. Fitz Roy, A.M. rector of Grafton Regis, Northamptonshire, to Emilia L'Estrange, eldest daughter of the late H. Styleman, of Snettisham, Norfolk, esq.

— At St. George's, Hanover-square, capt. Ricketts, R. N. eldest son of rear-adm. sir Robert T. Ricketts, bart. to Henrietta, youngest daughter of col. Tempest, of Tong Hall, Yorkshire.

Lately. At Frimley, the hon. Levison Granville Keith Murray, of Dunmore House, Bradninch, Devon, to Louisa Mitty, only daughter of Thomas Abraham, esq. of Chapel House, Surrey.

MARRIAGES.

Lately. At Easton, Northamptonshire, the rev. W. Thorpe, D. D. of Belgrave Chapel, to Amabel Elizabeth, countess of Pomfret.

JUNE.

2. At Paris, Hugh Forbes, esq. son of the late sir William Forbes, bart. to Ann, eldest daughter of J. G. Morgan, M.D. late of Barnstaple.

3. At St. George's, Hanover-square, the earl Somers, to Jane, widow of the rev. G. Waddington.

— At Trinity Church, Marylebone, Ernest A. Stephenson, esq. nephew of major-gen. sir B. Stephenson, to Frederica Emma, third daughter of David Bevan, esq. of Belmont, Hertfordshire.

— At Starcross, Fred. S. Every, esq. of Blakeley Lodge, Derbyshire, third son of sir Henry Every, bart. to Mary, eldest daughter of W. Brutton, esq. of Warren House.

5. At Lavington, Sussex, the rev. George D. Ryder, second son of the bishop of Lichfield and Coventry, to Sophia Lucy, youngest daughter of the late rev. John Sargent.

6. At Bath, John Christian Boode, esq. to Clementina Elizabeth Mary, only daughter of vice-adm. sir H. William Bayntun.

10. At St. George's, Hanover-square, the rev. F. A. S. Fane, to Joanna, youngest daughter of the late sir B. Hobhouse, bart.

17. At St. George's, Hanover-square, William Leveson Gower, esq. jun. of Titsey-place, Surrey, to Emily, second daughter of sir F. Hastings Doyle, bart.

20. At Pitminster, the rev. S. Phillips, vicar of Llarddrewe, Glamorgan, to the hon. Juliana Hicks Noel, youngest daughter of sir Gerard Noel, bart. M.P.

21. At St. Mary's, Bryanstone-square, lieutenant-col. De Lacy Evans, M.P. to Josette, relict of Philip Hughes, esq. E.I.C. and daughter of the late col. Arbuthnot.

24. At Edgbaston, the rev. H. Clarke, rector of Northfield, Worcestershire, fourth son of the late major-gen. sir W. Clarke, bart. to Agnes Mary, youngest daughter of Dr. John Johnstone.

26. At All Souls, Marylebone, George Best, of Bretlands, Surrey, to Elizabeth Georgiana Ann, daughter of the late gen. and lady Elizabeth Loftus.

JULY.

2. At Twickenham, sir Robert Shaw,
VOL. LXXVII,

bart. of Dublin, to Amelia, daughter of the late Benjamin Spencer, esq. M.D.

— At Swanswick, lieutenant-gen. sir W. Cockburn, bart. of Bath, to Martha Honora Georgiana Jervis, niece to the earl of Cavan.

3. At the Chateau de l'Isle de Noé (Gers), capt. R. H. Manners, R.N. to Louisa Jane, daughter of Le Comte de Noé, Pair de France.

— Capt. G. T. Bulkeley, 2nd Life Guards, to Mary Anne, eldest daughter of C. Langford, esq.

6. At Philadelphia, W. Pierce Butler, esq. to Miss Frances Ann Kemble (the celebrated actress), daughter of Charles Kemble.

8. At Christchurch, W. H. Ludlow, esq. of Send, Wilts, to Agnes, daughter of capt. Penruddocke, of Winkton, Hants.

— At Kensington, lieutenant-col. Stapleton, nephew of the late lord Despencer, to Charlotte Georgiana, 2nd daughter of the late hon. sir W. Ponsonby.

10. At Newry, T. S. O'Halloran, esq. 6th reg. son of brig-gen. O'Halloran, C.B. to Jane, daughter of J. Waring, esq.

— At St. George's Hanover-square, visc. Mahon, only son of earl Stanhope, to Emily, daughter of sir Edward Kerrison, bart. M.P.

12. At Sion, the seat of the duke of Northumberland, visc. Holmesdale, son of earl Amherst, to Miss Gertrude Percy, fourth daughter of the bishop of Carlisle.

15. At St. James's, Edward Ellice, esq. only son of the right hon. Edward Ellice, to Katharine Jane, second daughter of general Balfour.

17. Capt. Edgar Gibson, 4th Light Dragoons, to Charlotte, fourth daughter of Alderman Lucas, of Watlingbury-place, Kent.

— At St. Marylebone Church, Wm. Henry, second son of the late W. H. Hoare, esq. and grandson to Sir Gerard Noel Noel, bart. to Araminta Anne, third daughter of lieutenant-gen. sir John J. Hamilton, bart.

— At St. George's Hanover-square, lieutenant-col. Francis J. Davies, Grenadier Guards, to Elizabeth Anne, second daughter of adm. sir Byam Martin.

24. At Marylebone Church, S. E. Falkiner, esq. third son of the late sir S. Falkiner, bart. to Mary, third daughter of J. Rouers, esq. and granddaughter to sir R. Rycroft, bart.

— At Lavington, Sussex, Henry
Q

MARRIAGES.

William, youngest son of the late W. Wilberforce, esq. to Mary, second daughter of the late rev. J. Sargent.

— At St. George's Hanover-square, major William J. Richardson, of Oak Hall, Essex, to Augusta Jane Hippisley, of Park-street, Grosvenor-square, second daughter of the late col. Hippisley.

29. At St. Pancras, capt. J. G. Boss, R. N. M. P. of Ottington Hall, county of York, to Elizabeth, eldest daughter of the late Thomas Wylie, esq.

31. At Chesterfield, W. H. Thompson, esq. to Mary Esther, second daughter of the late rev. E. J. Vaughan, vicar of St. Martin's, Leicester, and niece to Mr. Justice Vaughan and sir H. Halford, bart.

AUGUST.

1. At Trinity Church, St. Marylebone, Andrew Johnstone, jun. M. P. of Rennyhill, to Priscilla, eldest daughter of Thomas Fowell Buxton, esq. M. P.

5. At Walcot, Major Aug. Grafton, to Mary Nicholson, eldest daughter of the late W. Robertson, esq. of Demerara and Essequibo.

— At St. Keverne, Cornwall, J. Hosken, esq. of Ellenglaze, to Caroline, youngest daughter of the late col. Sandys, of Lanarth House, Cornwall.

— J. Kennedy, esq. son of the hon. R. Kennedy, and nephew of the marquess of Ailsa, to Amelia Maria, only daughter of S. Briggs, esq. of Alexandria.

— At St. George's, Hanover-square, S. F. Campbell, esq. eldest son of the late lieutenant-col. W. Campbell, to Louisa, third daughter of col. Kemys Tynte, M. P. of Haswell House, Somerset.

6. At Martock, Mr. Valentine, F. L. S. surgeon of St. Mary's Hospital, Nottingham, to Miss M. A. Matcham, niece of the rev. H. Bennett.

— At St. George's Hanover-square, R. Cockerell, esq. son of sir C. Cockerell, to the hon. Miss Foley.

— At St. Margaret's, Westminster, F. F. Wordsworth, esq. of the Inner Temple, to Georgiana, daughter of the late J. Wood, esq.

7. At Bromley Palace, sir John Morlaunt, bart. of Walton, county Warwick, to Caroline Sophia, second daughter of the bishop of Rochester.

— At Witton, Norfolk, J. D. Chambers, esq. barrister at law, to the hon.

Henrietta Laura, third daughter of Lord Wodehouse.

12. Lieut.-col. Gascoyne, eldest son of General Gascoigne, to Miss Caroline Leigh Smith, second daughter of John Smith, esq. M. P. of Dale Park, Sussex.

— At Forthampton Court, near Tewkesbury, H. Clifford, esq. of Perrystone, Herefordshire, to Miss Yorke, granddaughter of the late bishop of Ely.

— At St. George's, Hanover-square, W. Brougham, esq. M. P. only brother of the lord chancellor, to Emily Frances, only daughter of sir C. W. Taylor, bart. of Hollycombe, Sussex.

15. At Clifton, near Bristol, W. Gibbons, M. D. of Twickenham, to Psyche Emmeline, daughter of John King, esq. of Clifton, and niece to the distinguished Maria Edgeworth.

17. At Corfu, Dr. Connel, Rifle Brigade, to Vera, third daughter of the late lieutenant-gen the hon. Vere Poulett.

18. At Biddenden, Kent, W. Whateley, esq. barrister-at-law, to Elizabeth, relict of Lord H. S. Churchill.

19. At Dover, capt. J. M. Gambier, 53rd foot, son of sir J. Gambier, to Helen Fred. daughter of J. C. Lochner, esq. of Enfield, Middlesex.

20. At Petersham, maj.-gen. Burrows, of Southampton, to Eliza-Catherine, daughter of James Bradshaw, esq.

23. At Holywell, H. Champion Partridge, esq. to Ethelred Frances, daughter of lieutenant-gen. Birch Reynardson.

— At Norwood, the rev. A. C. Bishop, to Lucy, only daughter of sir J. and lady Frances Wedderburne.

27. At Coventry, William Douglas Brisbane, esq. lieutenant. R. N. second son of the late rear-adm. sir C. Brisbane, to Elizabeth, daughter of the late John Ryley, esq.

28. At Salisbury, Thomas Tatum, esq. to Louisa Sarah, eldest daughter of W. B. Brodie, esq. M. P.

At Trinity Church, Alexander Crombie, esq. barrister-at-law, to Mary Harriett, second daughter of Francis Richardson, esq. of Upper Portland-place.

— At Norwich, C. Herbert Jenner, second son of sir Herbert Jenner, to Fanny, second daughter of the late J. Hales, esq.

30. At Stafford, Thomas Messiter, esq. barrister-at-law, to Marianne Louisa, only child of Sir C. Alston, bart.

MARRIAGES.

SEPTEMBER.

1. At Pontefract, the rev. H. Mills Astley, rector of Foulsham, Norfolk, to Dulcibella, daughter of col. W. Gooch.
2. At Marylebone Church, Joshua S. Crompton, esq. M. P. Sion Hill, Yorkshire, to Mary, daughter of the late Claud. Alexander, esq. of Ballochmyle, Ayrshire.
10. At Ladykirk, David Marjoribanks, esq. of Dulwich, Surrey, youngest son of the late sir John Marjoribanks, bart. to Miss Robertson, of Ladykirk, eldest daughter of Sir T. Haggerston, bart. of Ellingham.
11. At St. Mary's, Marylebone, M. Thackery, esq. vice provost of King's College, Cambridge, to Augusta, daughter of the late J. Yenn, esq. of Gloucester-place, Portman-square.
16. At St. James's, Westminster, Dugdale Stratford Dugdale, of Merivale, Warwick, esq. to lady Sykes, widow of sir Mark Masterman Sykes, of Sledmore, bart.
- At Selling, in Kent, W. A. Munn, esq. only son of the late lieut.-col. H. Munn, to Elizabeth, eldest daughter of H. Hilton, esq. of Sole-street House.
18. At Carmarthen, Barry Parr Squance, esq. of Albion-street, Hyde-park, to Julia, daughter of Thomas Morris, of Llanstephen Castle, esq. high sheriff for the county of Carmarthen.
- At Enfield, George Burrows, M.D. to Elinor, daughter of the late John Abernethy, esq.
20. At Dover, capt. Charles Sturt, to Charlotte Christiana, eldest daughter of the late col. Greene, auditor-general of Bengal.
22. At Ricarton, Biggs Andrews, barrister-at-law, esq. to Helen, sixth daughter of sir James Gibson Craig, of Riccarton, bart.
27. At Birkenhead, county of Chester, G. D. Vipont, of Penrith, to Carolina Julia, eldest daughter of the late Sir E. O'Brien Pryce, bart. of Newtown-hall, Montgomeryshire.
30. At Woodchester, capt. the hon. M. F. F. Berkeley, R. N. to the hon. Charlotte Moreton, daughter of lord Ducie.
- At Winchester, W. Erle, esq. to Amelia, eldest daughter of the rev. Dr. Williams, head master of Winchester College.

OCTOBER.

2. At Hampstead, Rich. Heathfield

esq. barrister-at-law, to Miss Helen Hetherington.

4. At Edinburgh, John N. O'Halloran, esq. Bengal army, son of brig.-gen. O'Halloran, to Elizabeth, daughter of the late gen. J. Pringle.

6. T. Noel Harris, esq. son of lieut.-col. N. Harris, to Mary, only child of the late Reginald Alleyne Ellcock, of Barbadoes.

7. At St. George's Church, Hanover-square, capt. Falcon, R. N. to Louisa Cursham, widow of the late capt. Cursham.

9. At Blair, Drummond, Perthshire, John Smith, esq. M.D. to Catharine, eldest daughter of J. B. Tuke, esq. late of Westow Hall, near Malton.

13. At Basingstoke, the rev. Harris Jervoise Bigg Wither, rector of Worting, Hants, to Eliza Harriet, daughter of W. Apletree, esq. of Goldings.

21. At St. George's, Hanover-square, the lord George Augustus Hill, youngest son of the marchioness of Downshire, to Cassandra Jane, youngest daughter of Edward Knight, esq. of Godmersham Park, Kent.

23. At Walmer, L. Daniel, esq. of Ramsgate, to Elizabeth Lucy, third daughter of capt. P. Fisher, R. N.

— At St. George's, R. Shute, esq. of Mecklenburgh-square, to Mrs. Cox, of Hunter-street, Bloomsbury.

27. At Tor, Devonshire, the rev. G. M. Braune, B. A. to Emma Mary, daughter of admiral sir L. W. Halsted, K. C. B.

28. At Hillingdon, Middlesex, the rev. Russell Skinner, A. M. to Violetta, eldest daughter of Thomas Williams, esq. of Cowley-green, near Uxbridge.

29. At Dawlish, Herman Merivale, esq. to Caroline, daughter of the late rev. W. Villiers Robinson, rector of Grafton Underwood, county of Northampton.

— At Upper Deal, George Lee H. Bazely, R. N. third son of the late vice-admiral Bazely, to Catherine Mary, only daughter of the late J. Cannon, esq.

30. At St. George's, Hanover-square, sir Thomas Howland Roberts, bart. to Eliza Caroline, second daughter of the late John Maitland, esq. of Eccles, Dumfries.

Lately. At Nuneham, Lord Norreys, M. P. for Oxfordshire, and heir-apparent to the earldom of Abingdon, to Miss Harcourt, only child of G. V. Harcourt, esq. of Nuneham Park, M. P.

MARRIAGES.

NOVEMBER.

4. At St. James's Alfred Brodie, esq. of Eastbourne, Sussex, to Mary Anne, eldest daughter of the late S. Fenning, of St. James's-square, esq.

— At Brighton, Thomas Spry Byass, esq. son of Lovel Byass, esq. Cuckfield, to Mary, second daughter of the late H. Bowles, esq. of Cuckfield.

6. At St. Luke's London, lieut.-col. William Miles, of Cheshunt, to Miss Ann Hurd.

— At Lewisham, R. M. Poulden, esq. Roy. Art. to Sophia Elizabeth, only daughter of the right hon. lady Sophia Foy, and of the late lieut.-col. Foy, R. Art.

8. At Paris, Robert Alphonse de Strada, equerry to the King of the French, and only son of the Marquess de Strada, to Charlotte Georgiana, daughter of the late C. Chapman, esq. E. I. C.

11. At Brighton, J. H. Bayford, esq. of Doctors' Commons, to Rose, youngest daughter of the late capt. Bright, and grand-daughter of the late lieut.-gen. Bright, of Clifton.

15. At St. George's Hanover-square, William Arch. Campbell, of Wilton-place, Middlesex, esq. to Miss Charlotte Wentworth, lady of the manor of Midgley, Halifax, and third daughter of the late Godfrey Wentworth Wentworth, esq. of Wilton-crescent.

18. At Halton, the hon. A. Lascelles, fifth son of the earl of Harewood, to Caroline Frances, fourth daughter of sir Richard Brooke, of Norton Priory, county of Chester, bart.

24. At St. George's, Hanover-square, hon. Georgiana Beresford, eldest daughter of viscount Decies, to lord Ernest Bruce, youngest son of the marquess of Aylesbury.

25. F. B. Lousada, esq. to Marianne, daughter of sir C. Wolseley, bart. of Wolseley Park, Staffordshire.

DECEMBER.

1. At St. George's, Hanover-square, major Dyce, of the Madras army, to Jane Elizabeth, only daughter of lieut.-col. Maclachlan.

2. At Lisbon, by proxy, Donna Maria, Queen of Portugal, to the Duke of Leuchtenberg, son of Beauharnois, late viceroy of Italy.

4. At Prestbury, William Charles

Townsend, esq. barrister-at-law, and recorder of Macclesfield, to Fanny, daughter of R. Wood, esq. of Westbrook, and niece to the late right hon. sir Chris. Robinson.

— At St. John's, Thanet, lieut. William Royse, R. N. to Fanny, second daughter of rear-adm. sir Thomas Harvey.

PROMOTIONS.

JANUARY.

GAZETTE PROMOTIONS.

11. Sir Frederick R. Edward Acton, of Aldenham Hall, Salop, bart. to use the surname and bear the arms of Dalberg with those of Acton.

17. Knighted, lieut.-gen. Henry Bayly, G.C.H.

18. Thomas Roe, of Lynmouth, county of Devon, Gent. in compliance with the will of his maternal uncle Walter Lock, late of Ilfracombe, esq. to use the surname of Lock after that of Roe.

24. Maj.-gen. sir Colin Campbell to be lieut.-gov. of Nova Scotia.

29. Knighted, maj.-gen. Samuel Trevor Dickens, K.C.H. Royal Engineers.

31. 48th Foot: lieut.-col. Saumarez Brock, 55th Foot, to be lieut.-col.

55th Foot: lieut.-col. James Holmes Schoedde, 48th regiment, to be lieut.-col.

MEMBERS RETURNED TO PARLIAMENT.

County of Berwick.—Sir Hugh Purves Hugh Campbell, of Marchmont and Purves, bart.

Huddersfield.—John Blackburne, esq.

Morpeth.—Hon. Edward George Granville Howard.

Leeds.—Edward Baines, esq.

Devizes.—Sir Philip Charles Hender-son Durham.

Somerset.—(East Division).—William Miles, esq.

Totness.—Lord Edward Adolphus Seymour.

York.—Hon. Thomas Dundas.

CIVIL PREFERMENTS.

The Duke of Wellington, chancellor of the University of Oxford.

Duke of Beaufort, high steward of Bristol.

MARRIAGES.

FEBRUARY.

GAZETTE PROMOTIONS.

26. Knighted, Charles Christopher Pepys, esq. solicitor-general.

— Sir John Bayley, knt. (late a baron of the Exchequer) created a baronet.

MARCH.

GAZETTE PROMOTIONS.

3. The right. hon. lord Ponsonby, ambassador to the Ottoman Porte, to be G.C.B.

5. Knighted, Eaton Travers, esq. capt. R.N. and C. H.

12. Knighted, Charles Edmund Nugent, esq. adm. of the Fleet, and G.C.H.

21. Lieut.-col. Lovell Benjamin Badcock, to be lieut.-col.

— Maj.-gen. sir Arthur Brooke, to be K. C. B.

— Knighted, major-general Lorenzo Moore, C.B. K.C.H.

22. Sir Thomas Denman, knt. chief-justice of the King's Bench, created baron Denman, of Dovedale, county of Derby.

26. Knighted, James Nicol M'Adam, esq. of Whitehall.

27. Knighted, capt. John Woolmore, K.C.H. deputy-master of the Trinity-house.

28. 3rd Foot: brevet lieut.-col. J. Dennis, to be lieut.-col.

— 49th Foot: capt. Thomas Stephens, to be major.

MEMBERS RETURNED TO PARLIAMENT.

Bute (county)—Right hon. sir W. Rae.

Dudley—Thomas Hawkes, esq.

Dungarvon—Ebenezer Jacob, esq.

Kendal—John Barham, esq.

Malton—Sir C. C. Pepys, re-elected.

CIVIL PREFERMENTS.

Frederick PoMock, esq. K.C. to be attorney-gen. of the Duchy of Lancaster.

Sir Philip Sidney, K.C.B. to be surveyor-gen. of the Duchy of Cornwall.

Capt. Mason, R.N. (nephew to earl Grey) to be marshal of the Four Courts, Dublin.

Robert Gordon, esq. M.P. to be secretary to the Board of Control.

The duke of Hamilton to be a trustee of the British Museum, and

The bishop of London, a governor of

the Charter House, both *vice* lord Grenville.

Dr. Kidd, to be Radcliffe Librarian, Oxford.

APRIL.

GAZETTE PROMOTIONS.

8. 15th Foot: lieut.-col. G. W. Horton, to be lieut.-col.

— 96th Foot: brevet lieut. H. White, to be lieut.-col.

9. Rear-adm. sir Thomas Masterman Hardy, bart. G.C.B. to be governor of Greenwich Hospital.

14. Adm. sir George Martin, G.C.B. to be vice-adm. of the United Kingdom.

— Adm. the hon. sir Robert Stopford, G. C. B. to be rear-adm. of the United Kingdom.

15. Col. sir Dudley St. Leger Hill, to be lieut.-governor of St. Lucia.

16. Knighted, John Williams, esq. baron of the Exchequer.

21. Royal Regiment of Artillery, Maj. gen. W. Millar, to be col. commandant.

— Gloucestershire Yeomanry, the marquess of Worcester to be lieut.-col. commandant; the hon. J. L. Dutton to be lieut.-col.

22. The right hon. R. Montgomery, lord Belhaven, to be his Majesty's high Commissioner to the General Assembly of the Church of Scotland.

25. 1st Foot Guards, lieut.-col. Arthur lord Templemore, to be capt. and lieut.-col.

The earls of Leitrim and Donoughmore to be knights of St. Patrick.

The earl of Erroll to be a knight of the Thistle.

Lord Sussex Lennox to be Postmaster of Jamaica.

G. C. Antrobus, esq. to be high sheriff of Cheshire.

MEMBERS RETURNED TO PARLIAMENT.

Thirsk—Samuel Crompton, esq.

Paisley—Sir Daniel Keyte Sandford.

MAY.

GAZETTE PROMOTIONS.

1. Adm. sir J. H. Whitshed, G. C. B. of Killmearrick, county of Wicklow, to be a baronet of the United Kingdom.

3. Knighted, rear-adm. John Ferris Devonshire, of Alwington House, Devon, K.C.H.

PROMOTIONS.

6. Thomas Watlien Waller, esq. to be secretary to his Majesty's Legation in Greece.

7. Thomas Chapman, esq. to be marshal of the King's Bench.

JUDICIAL CHANGES.

Sir John Vaughan has exchanged from the Court of Exchequer to the Common Pleas.

Sir E. H. Alderson, from the Common Pleas to the Exchequer.

Sir J. Parke, from the King's Bench to the Exchequer.

Sir J. Williams, from the Exchequer to the King's Bench.

MEMBERS RETURNED TO PARLIAMENT.

Cambridge.—Rt. hon. T. Spring Rice
Derbyshire (North).—Hon. G. H. Cavendish.

Edinburgh.—Sir John Campbell, attorney-gen. Rt. hon. sir J. Abercromby, re-elected.

Fermanagh (County).—Mervyn Archdall, esq.

Leith Burghs.—Rt. hon. J. A. Murray.

Monaghanshire.—Hon. H. R. Westenra.

Perth.—Rt. hon. sir G. Murray, G.C.B.

Wells.—N. W. R. Colborne, esq.

JUNE.

GAZETTE PROMOTIONS.

4. Lord Brougham, visc. Melbourne, right hon. E. J. Littleton, Thomas D'Oyley, sergeant at law, T. N. Lister, John Wrottesley, G. B. Lennard, E. C. Tufnel, Daniel Maude, G. C. Lewis, W. H. Curran, William Tighe Hamilton, Acheson Lyle, and William Newport, esqrs. barristers, to be commissioners for inquiring respecting the state of religious and other instruction now existing in Ireland:

5. Knighted, Humphrey le Fleming Senhouse, esq. capt. R. N.

— The right hon. T. Spring Rice and sir John Vaughan, sworn of the Privy Council; and the right hon. T. Spring Rice sworn one of his Majesty's principal secretaries of state for the Colonies.

7. George Baron Auckland, to be first lord of the admiralty.

10. Robert Shapland Carew, of Castlebore, county of Wexford, esq. to be a baron of Ireland, by the title of baron Carew.

13. The right hon. James Abercromby to be master of his majesty's mint.

19. Robert Cutlar Fergusson, esq. to be advocate-general, or judge-martial of his majesty's forces.

— Andrew Leith Hay, esq. to be Clerk of the ordnance.

20. Robert Graham, esq. and capt. George Stevens Byng, to be commissioners of the Treasury, *vice* Baring and Kennedy.

— F. T. Baring, esq. to be secretary to the treasury.

— The earl of Carlisle to be lord privy seal.

— Right hon. Edward Ellice to have a seat in the cabinet.

— The Marquess of Conyngham to be postmaster-general.

— Major the marquess of Douro to be commander-in-chief and lieut.-governor of Guernsey.

JULY.

GAZETTE PROMOTIONS.

2. James Ivory, esq. to be sheriff depute of the shire of the Island of Bute.

— Robert Thomson, esq. to be sheriff depute of the shire of Caithness.

14. Royal Eng. col. sir Howard Elphinstone, bart. to be colonel commandant.

— S. Love Hammick, of Cavendish-square, esq. surgeon, to be a bart. of the United Kingdom of Great Britain and Ireland.

18. Lord Melbourne to be first lord of the treasury, *vice* Earl Grey.

— Viscount Duncannon to be secretary of state for the home department.

— Sir John Cam Hobhouse to be chief commissioner of woods and forests.

— E. J. Stanley, esq. to be home under-secretary of state.

— John William viscount Duncannon created a peer of the United Kingdom, by the title of baron Duncannon, of Besborough, county of Kilkenny.

— 13th Light Dragoons, capt. sir John Gordon, bart. to be major.

28. Rear-adm. sir W. Parker, K.C.B. to be a lord of the Admiralty, *vice* sir T. Hardy, appointed governor of Greenwich Hospital.

30. The earl of Mulgrave to be keeper of the privy seal.

— Denis le Marchant, esq. to be clerk of the crown in chancery.

PROMOTIONS.

MEMBERS RETURNED TO PARLIAMENT.

Chatham.—George Stevens Byng, esq.

Finbury.—T. S. Duncombe, esq.

Nottingham.—Right hon. Sir John Hobhouse.

Sudbury.—Sir Edward Barnes.

Wexfordshire.—Cadwallader Waddy, esq.

CIVIL PREFERMENTS.

Alexander Raphael and John Illidge, esqrs. sheriffs of London and Middlesex.

Right hon. Robert Grant, appointed governor of Bombay. The salary is 10,000*l.* a-year.

The officers appointed to superintend the trade to China (under the 3rd and 4th William IV. c. 85) are lord Napier, first superintendent, 6,000*l.* a-year; Mr. W. H. C. Plowden, second, 3,000*l.*; Mr. J. F. Davis, third, 2,000*l.*; Rev. G. H. Vachell, chaplain, 1,000*l.*; capt. Charles Elliott, R. N. master attendant, 800*l.* a-year.

AUGUST.

GAZETTE PROMOTIONS.

6. Knighted, Edward John Gambier, esq. recorder of Prince of Wales, Island.

13. The Duke of Norfolk to be K. G.

14. The right hon. sir John Cam Hobhouse, bart. sir Benjamin C. Stephenson, and Alexander Milne, esq. to be commissioners of woods and forests.

16. Thomas Butterfield, esq. to be chief justice of the Bermuda or Somers Islands.

18. John Harvey Darrell, esq. to be attorney and advocate-general of the Bermuda or Somers Islands.

— Right hon. Thomas Frankland Lewis, John George Shaw Lefevre, esq. and George Nicholls, esq. to be the poor-law commissioners for England and Wales.

21. Benjamin Collins Brodie, esq. sarjeant surgeon, of Boxford, Suffolk, and of Saville Row, created a baronet.

22. 87th Foot, major-gen. sir Thomas Reynell, bart. to be colonel.

— 99th Foot, major-gen. sir Colin Campbell, K. C. B. to be colonel.

— Vice-Admiral Fleming to be Commander-in-chief at the Nore.

MEMBERS RETURNED TO PARLIAMENT.

Cirencester.—Lord R. E. H. Somerset.

Gloucestershire. (E.) — C. W. Codrington, esq.

Monaghanshire. — Edward Lucas, esq.

Thetford.—The earl of Easton.

CIVIL PREFERMENTS.

Rev. E. C. Hawtrey, head master of Eton College.

Harry Dupuis, esq. to be an assistant master.

SEPTEMBER.

GAZETTE PROMOTIONS.

3. The right hon. Arch. earl of Gosford to be a member of the privy council.

9. Lieut.-col. W. Macbean George Colebrooke to be lieut.-governor of the Bahama Islands.

24. Royal Artillery, major-gen. G. Salmon, to be colonel-commandant.

26. Capt. H. Prescott, R. N., to be governor of Newfoundland and its dependencies.

29. Sir Charles C. Pepys Knight, to be master of the rolls.

— Richard Baker Wingfield, esq. to be his chief secretary.

— James A. Murray, esq. to be under-secretary and secretary of causes.

Sir George Grey, bart. to be under secretary of state for the Colonies, *vice* Mr. Lefevre.

Knighted, Samuel Thomas Spry, esq. M. P. of Place, Cornwall, and lieutenant of the hon. corps of gentlemen at arms.

Naval Promotions. — Rear-adm. sir Graham Hammond, K. C. B. to succeed the late sir Michael Seymour in the command of the American station.

Rear-adm. P. Campbell, C. B. to be commander-in-chief at the Cape of Good Hope and the western coast of Africa.

CIVIL PREFERMENTS.

W. Bond, esq. to be recorder of Poole.

E. W. W. Pendarves, esq. M. P. to be recorder of Falmouth.

Dr. W. Cumin to be regius professor of midwifery in the university of Glasgow.

OCTOBER.

GAZETTE PROMOTIONS.

4. *Dublin.*—Mr. Crampton to be a judge of the King's Bench.

PROMOTIONS.

4. Mr. O'Loughlin to be solicitor-general.

— Mr. R. W. Green to be a sergeant

8. Knighted, lieut.-col Thomas S. Sorrel, K. H. consul-general for the Austrian States in Italy.

10. Adm. sir John Wells, to be G.C.B.

— Rear-adm. Edward Brace, to be K. C. B.

Sir George Shee, bart. to be his majesty's minister plenipotentiary to the king of Prussia.

14. 31st Foot, lieut.-gen, sir Edward Barnes, K. C. B. to be colonel.

— 78th Foot, major-gen. sir Lionel Smith, K. C. B. to be colonel.

— 96th Foot, major-gen. William Thornton, to be colonel.

18. Rear-adm. Charles Adam, to be a lord of the admiralty, *vice* Dundas, deceased.

Doctor John Dodson to be his majesty's advocate-general.

27. the hon. W. Ashley to be her majesty's treasurer and vice chamberlain.

— T. H. Holberton, esq. to be one of her majesty's surgeons extraordinary.

29. Knighted, John Dodson, D. C. L. his majesty's advocate-general.

— The right hon. sir Herbert Jenner, knt. to be of the privy council, having been appointed judge of the arches and prerogative courts.

ECCLESIASTICAL PREFERMENT.

Rev. Joseph Allen, D.D. to be bishop of Bristol.

NOVEMBER.

GAZETTE PROMOTIONS.

1. C. R. Fairbanks, esq. to be master of the rolls in Nova Scotia.

— Major Henry Dundas Campbell, to be lieut.-gov. of Sierra Leone and its dependencies.

5. Rev. T. Fysh Foord-Bowes, to be deputy clerk of the closet to his majesty.

— The rev. Montagu John Wynyard, to be supernumerary deputy clerk.

— Henry, Cockburn, esq. to be one of the lords of session in Scotland.

Andrew Skene, esq. to be solicitor-general for Scotland.

6. Henry Pilkington, esq. barrister-at-law; Charles Mott, of Forest Hill, esq.; Alfred Power, esq. barrister-at-law; and William H. Toovey Hawley, esq. deputy-lieut. of Hants, to be assistant commissioners of poor-laws.

7. The earl of Gosford to be capt. of the Yeomen of the Guard.

— Lord Gardner a lord of the bed-chamber.

21. The duke of Wellington, earl of Rosslyn, lord Ellenborough, lord Maryborough, right hon. sir John Beckett, bart. and Joseph Planta, esq. to be commissioners for executing the office of treasurer of the exchequer.

DECEMBER.

GAZETTE PROMOTIONS.

10. Right hon. sir Robert Peel, bart. to be chancellor and under treasurer of his majesty's exchequer.

12. Scots Fusileer Guards, gen. G. duke of Gordon, G. C. B. to be colonel.

— 1st Foot, gen. T. lord Lynedoch, G. C. B. to be colonel.

— 4th Foot, lieut.-gen. hon. sir C. Colville, G. C. B. to be colonel.

— 74th Foot, major-general sir J. Campbell, K. C. B. to be colonel.

— 94th Foot, maj.-gen. sir J. Colborne, K. C. B. to be colonel.

THE NEW MINISTRY.

16. 18. 23. and 26. Sir R. Peel, first lord of the treasury and chancellor of the exchequer.

— Lord Lyndhurst, lord high chancellor.

— Earl of Rosslyn president of the council.

— Lord Wharncliffe, lord privy seal.

— the duke of Wellington, secretary of state for foreign affairs.

— Right hon. H. Goulburn, secretary for the home department.

— Earl of Aberdeen, colonial secretary.

— Right hon. J. C. Herries, secretary at war.

— Sir H. Hardinge, secretary for Ireland.

— Earl de Grey, first lord of the admiralty.

— Lord Ellenborough, president of the board of control.

— Right hon. A. Baring, master of the mint.

Right hon. sir E. Knatchbull, bart. paymaster of the forces.

— Right hon. sir G. Murray, master-general of the ordnance.

— Right hon. C. W. W. Wynne, chancellor of the duchy of Lancaster.

20. Lord Granville Somerset, William Y. Peel, esq. and Joseph Planta, esq. sworn of the privy council.

PROMOTIONS.

22. Earl de Grey, vice-adm. sir G. Cockburn, G. C. B. vice-adm. sir J. P. Beresford, K. C. B. vice-adm. sir C. Rowley, K. C. B. Lord Ashley, and right hon. M. Fitzgerald, to be commissioners of the Admiralty.

— Lieut.-gen. lord Robert Somerset, G. C. B. to be master of the ordnance.

— Rear-adm. sir E. Owen, K. C. B. clerk of the ordnance.

— F. R. Bonham, esq. storekeeper.

— Alexander Perceval, esq. treasurer.

— Viscount Lowther, to be president of the board of Trade and treasurer of the navy.

23. Lord Granville Somerset, to be first commissioner of woods, &c.

— Lord Maryborough to be post-master-general.

24. Knighted, John Ross, esq. capt. R. N., C. B., K. St. A. and K. S.

26. Right hon. sir R. Peel, right hon. W. Y. Peel, earl of Lincoln, viscount Stormont, C. Ross, esq. W. E. Gladstone, esq. to be commissioners of the treasury.

— Right hon. J. Sullivan, sir A. C. Grant, and Mr. Planta, commissioners for the affairs of India.

— *Secretaries*: Treasury—sir G. Clerk, bart. sir T. F. Fremantle, bart.; Admiralty, right hon. G. R. Dawson; Board of Control, W. M. Praed, esq.

— *Under Secretaries*: Home—lord Eliot; Foreign—lord Mahon; Colonial, —hon. T. S. Wortley.

— *Law Appointments*: Sir J. Scarlett to be lord chief baron; Mr. F. Pollock, attorney-general; Mr. Follett, solicitor-general.

— *Ireland*: The earl of Haddington, lord-lieutenant; sir E. Sugden, lord chancellor; sergeant Pennefather, attorney-general; Mr. Devonsher Jackson, solicitor-general.

— Right hon. sir J. Beckett, judge-advocate-general; sir W. Rae, lord-advocate of Scotland.

— *Household*: Duke of Dorset, master of the horse (and created G. C. H.); earl of Jersey, lord chamberlain; earl Roden, lord steward.

— *To the Queen*. Earl Howe, lord chamberlain; earl of Erroll, master of the horse.

— 2nd Foot, lieut.-gen. right hon. sir James Kempt, G. C. B. to be colonel.

— 77th Foot, major-gen. sir A. Campbell, bart. G. C. B. to be colonel.

— The Duke of Buccleugh to be a knight of the garter.

— The earl of Hardwicke to be lord-lieutenant of Cambridgeshire.

CIVIL PREFERMENTS.

Marquess of Camden to be chancellor of Cambridge University.

The duke of Northumberland to be high steward of Cambridge University.

Lord Stanley to be lord rector of Glasgow University.

DEATHS.

1833.

Nov. 19. At Beauvais, on his way from Paris to England, Charles Mackinnon, esq. of Grosvenor-place, late M.P. for Ipswich.

Dec. 4. At Norwich, aged 80, Robert Alderson, esq. recorder of Norwich, Ipswich, and Yarmouth. He was the elder brother of the late Dr. Alderson, of Hull, and father of Mr. Justice Alderson

30. In Lower Grosvenor-street, aged 76, William Sotheby, esq. F.R.S and S.A. Mr. Sotheby was a gentleman of considerable fortune and liberal education, and the author of several poetical works, which, although they never rendered him popular, were written with taste and elegance. His first production was entitled "Poems, consisting of a tour through parts of North and South Wales, sonnets, odes, and an epistle on physiognomy, 4to." 1790. In the first and longest of these poems, the author described, in blank verse, the most remarkable features of Welch scenery; and in a second edition, which was printed in a splendid style at Bath, in 1794 (where the author then resided), they were illustrated with plates by Alken. Mr. Sotheby's next production was *Oberon*, a poem, from the German of Wieland, 1798. The *Battle of the Nile* appeared in 1799. This was, perhaps, the best production drawn forth by that signal and important victory; it possessed much nerve, considerable poetry, and a wide range of detail. The following works appeared in succession:—The *siege of Cuzco*, 1800. The *Georgics of Virgil*, translated into English verse, 1800. *Julian*; or the *Monks of the Great St. Bernard*, a tragedy, as performed at Drury Lane Theatre, 1801. *Poetical epistle to sir George Beaumont*, on the encouragement of the British school of painting, 1801. *Oberon*, or *Huon de Bourdeaux*, a masque; and *Orestes*, a tragedy, 1802. *Saul*, an epic poem, in two parts, 1807. *Constance de Castile*, a poem, 1810. A

DEATHS.—JAN.

Song of Triumph on the Peace, 1814. Tragedies; viz. the Death of Darnley; Ivan; Zamorin and Zama; the Confession; Orestes, 1814. Ivan, a tragedy, altered and adapted for representation, 1816. Ellen, or the Confession, altered and adapted for representation, 1816. These reprints of the two tragedies have many improvements, and in Ivan an entirely new scene is introduced. A few years afterwards he republished the Georgics in a Polyglot edition in Latin, German, Spanish, English, Italian, and French. His last great work was the translation of Homer.

1834.

JANUARY.

1. At Tiverton, aged 26, Ann wife of Samuel Amory, esq. of Great George-street, second daughter of John Heathcoat, esq. M.P.

— In Brunswick-square, Nathaniel Milne, esq. of the Temple.

2. At Swansea, aged 67, commander George Jones, R.N. He was promoted to that rank in 1798, on bringing home sir George Duckworth's dispatches, announcing the reduction of Minorca: having been previously first lieutenant of the Leviathan. During part of the war, he held a command in the Swansea Sea-Fencibles.

— At Edinburgh, aged 71, the rev. John Inglis, D.D. dean of the Chapel Royal, and of the order of the Thistle, and one of the ministers of the Greyfriars' church. Dr. Inglis was a native of Perthshire. In 1796, he was translated from the parish of Tibbermuir to the Old Greyfriars' church, in Edinburgh, where he became the colleague of Dr. Erskine, and the successor of the celebrated Principal Robertson. For nearly thirty years, he was the leader of the Presbytery of Edinburgh; and though he differed in church politics from what is called the popular party, he lived with all on terms of the most affectionate kindness and cordiality. As a preacher he was strictly Calvinistic; his discourses were occasionally too intellectual for an ordinary congregation. In 1804, he was chosen Moderator of the General Assembly; and his work on the "Evidences of Christianity," and his "Treatise in defence of Ecclesiastical Establishments," recently published, exhibit great powers of reasoning.

2. In Whitehall Yard, in his 49th

year, the hon. George Lamb, under secretary of state for the home department, and M.P. for Dungarvon; brother to lord viscount Melbourne. Mr. Lamb was born July 11th, 1784, the fourth and youngest son of Peniston, first viscount Melbourne, by Elizabeth, daughter of sir Ralph Milbanke, bart. He was educated at Eton and at Trinity College, Cambridge, where he was created M.A. in 1805, and passed through the usual course of university studies with success. He was early entered of Lincoln's Inn, and called to the Bar, after which he for a short time went the northern circuit; but he soon ceased to practise, partly on account of ill health, and devoted his attention principally to literature. Mr. Lamb was one of the most active members of the committee of management of Drury-lane theatre, when the earl of Essex, lord Byron, and the hon. Douglas Kinnaird, were his associates. He was himself the author of "Whistle for it," an operatic piece, 1807. He also published some minor poems; but his most elaborate and remarkable work was a translation of Catullus. In the year 1819, he was put forward by the Whigs to contest the representation of Westminster against the Radicals, on the death of Sir Samuel Romilly. The contest lasted fifteen days, and terminated as follows:—

Hon. George Lamb 4465

Mr. Hobhouse 3861

Major Cartwright 38

At the general election in the following year he gave place to his more popular opponent. In 1826 he entered Parliament, through the interest of the duke of Devonshire, as member for Dungarvon, and he had represented that borough in four Parliaments at the time of his death. On the accession of Lord Grey's ministry, he became under secretary of state to his brother, lord Melbourne, in the home department. His official duties were executed in an efficient manner, and his speeches in Parliament were delivered in a sensible and intrepid style. He married May 17th, 1809, Mademoiselle Caroline Rosalie Adelaide St. Jules, reputed a natural daughter of the late duke of Devonshire.

3. The rev. Daniel Lysons, M.A.F.R., A.L. and H.SS., of Hempsted Court, Gloucestershire. He was the elder brother of that very able and distin-

DEATHS.—JAN.

guished antiquary, Samuel Lysons, esq. F.R.S. and S.A. keeper of the records in the Tower of London. They were the sons of the rev. Samuel Lysons, M.A. rector of Rodmarton, in Gloucestershire, who was a younger son of an old family long seated at Hempsted, in the same county. Mr. Lysons was educated at Gloucester, and afterwards at St. Mary's Hall, Oxford, where he took the degree of M.A. in 1785. He first appeared as an author in the year 1790, when he published a sermon preached on the anniversary of Edward Colston, at Bristol. In the same year he was elected a fellow of the Society of Antiquaries, four years after his distinguished brother. About the same period he served for some time the curacy of Putney; and, during his residence there, commenced his survey of the environs of London. In this design he was encouraged by the countenance and approbation of the earl of Orford (the celebrated Horace Walpole), who complimented him with the appointment of his chaplain, and to whom he dedicated the *Environs*. The first volume was printed in 4to, 1792, the fourth in 1796. It comprises the parishes within a circuit of twelve miles round the metropolis; and in 1800 Mr. Lysons published, in a separate volume, an historical account of those parishes in Middlesex which were not described in the *Environs*. A new edition of the *Environs* was published by Mr. Lysons in 1811; and in the same year he printed a supplement to the first edition, consisting of very important additions and corrections. The whole forms a work of great value and interest; and the copious extracts from the parochial registers are particularly useful to the biographer and genealogist. He afterwards engaged, in conjunction with his brother, in that great undertaking, a *Magna Britannia*. Of this the first volume was published in 1806, containing Bedfordshire, Berkshire, and Buckinghamshire; and it was continued in the alphabetical order of the counties, with material additions to the plan during its progress, as far as Devonshire, which appeared in 1822; but after the death of his brother, in 1819, Mr. Daniel Lysons had not sufficient strength to continue this laborious work further, five years having elapsed from the production of Derbyshire to that of Devonshire. His other publications were a *History of the Origin and Progress of*

the Meeting of the three Choirs of Gloucester, Worcester, and Hereford, 8vo, 1812, and a Sketch of the Life and Character of the late C. B. Trye, esq. F.R.S. 4to, 1812. Mr. Trye, an eminent surgeon at Gloucester, was brother-in-law to Mr. Lysons.

3. In Hertford-street, aged 33, John Henry Cotterell, esq. eldest son of sir John Geers Cotterell, bart.

— At Gloucester-place, aged 43, Benjamin Burton, esq. brother to sir Charles Burton, bart. of Pollacton Hall, county of Carlow, and younger son of the late sir Charles Burton, by the hon. Catherine Cusse, daughter of John, second lord Desart.

— At Edinburgh, aged 8, the hon. William Laigh Canning Sinclair, second son of the earl of Caithness.

5. At Great Saxham Hall, Suffolk, in his 85th year, Thomas Mills, esq. a magistrate and deputy-lieutenant for the county. Constantly residing upon his estate at Saxham, his attention was devoted to its improvement, and the welfare and comfort of his numerous dependants. In 1798, he rebuilt the church, of which he was the patron, at his own expense, in the windows of which are the family arms, &c. together with some good specimens of ancient painted glass, brought from Switzerland in 1816. He served the office of high sheriff for the county in the year 1807.

6. At Boulogne, in his 80th year, Richard Martin, esq. formerly M.P. for the county of Galway.

— At Edradour, Atholl, aged 48, John Forbes, M.D. surgeon, R.N.

— At Lyme, Dorsetshire, aged 66, the rev. Thomas Henry Hume, canon residentiary and treasurer of Sarum, and vicar of Stratford sub Castro, and of Kewstoke, Somerset. He was the only son of the right rev. John Hume, D.D. formerly bishop of Salisbury, by lady Mary Hay, daughter of George, seventh earl of Kinnoul.

— At Edinburgh, aged 21, the hon. Charles Henry Murray, lieutenant R.N. uncle to lord Ellibank.

— At Kirkmay House, Robert Inglis, esq. of Kirkmay.

7. At Rockville, the wife of capt. Henry Bruce, R.N. and Jan. 18, George, his infant son.

8. At Boynton, Yorkshire, aged 80, sir William Strickland, the sixth baronet, of that place (1641).

DEATHS.—JAN.

10. In Maurey county, Tennessee, Mrs. Betsy Frantham, at the extraordinary age of 154 years. She was a native of Germany, and arrived at North Carolina in 1710. At the age of 120 her eye-sight became almost extinct; but during the last twenty years of her life she possessed the power of vision as perfectly as at the age of twenty.

— At Cheltenham; Georgiana Mary, youngest daughter of sir Charles Des Voeux, bart.

— At Roselle, Ayrshire, aged 37, Richard Oswald, esq. younger, of Auchencruive. He had been married exactly one month to lady Mary Kennedy, second daughter of the marquis of Ailsa.

11. In Portland-place, Isabel, wife of John Hardy, esq. M.P. daughter of R. Guthorne, esq. of Kirkby Lonsdale.

— At Dalzell House, in his 42nd year, Archibald J. Hamilton, esq. projector of the benevolent, but Utopian Orbiston scheme.

— At Trinidad, aged 29, Frederick James Gordon Hammet, second son of the late viscountess de Rosmordue, and nephew to his excellency, the late sir Ralph Woodford, bart. formerly governor of that island.

12. At his seat, Dropmore, Buckinghamshire, aged 74, the right hon. William Wyndham Grenville, baron Grenville, D.C.L. and F.S.A.; uncle to the duke of Buckingham. He was born on the 25th of October, 1759, and was the third son of the right hon. George Grenville prime minister in 1763-1765, and of Elizabeth, daughter of sir William Wyndham, bart. He received his early education at Eton, and then removed to Christ Church, Oxford, where, in 1779, he gained the chancellor's prize for a composition in Latin verse, the subject being *Vis Electrica*. He took the degree of B.A., and entered one of the Inns of Court, with the view of being called to the Bar. His attention however, was quickly diverted to the business of politics. In February, 1782, he was returned to Parliament on a vacancy for Buckingham: and in September following, when his brother, earl Temple (the late Marquis of Buckingham) was for the first time sent to Ireland as lord-lieutenant, he accompanied him as private secretary, and was sworn a privy councillor of that kingdom. The period of earl Temple's vice-reign terminated in the June of the following year; in December following, Mr. Grenville ac-

cepted office at home, being appointed to succeed Mr. Burke as paymaster of the army. His active senatorial career now commenced; and his industry and acquirements, added to strong natural talents, soon made him of consequence in the House of Commons. At the general election of 1784 he was chosen one of the county members for Buckinghamshire, after a very severe contest. He was re-elected in 1790. He had not completed his thirtieth year when he was chosen to preside over the House of Commons, being elected speaker January 5th, 1789, on the death of the right hon. Charles Wolfran Cornwall. Before four months, however, had elapsed, he was summoned from that station to the still more responsible, if not more arduous, one of secretary of state of the home department. He was removed to the House of Lords by a patent of peerage, dated November 25th, 1790, and thenceforward became the representative and echo of Mr. Pitt in the upper House. In the following May he exchanged the seals of home secretary for those of the foreign department; the latter he retained until the resignation of Mr. Pitt, in February, 1801. In 1791 he was appointed ranger of St. James's and Hyde-parks; which post he exchanged in 1795 for the lucrative office of auditor of the exchequer. He filled the important situation of foreign secretary during one of the most arduous and gloomy periods of our history, with industry, talent, and skill. He was skilled in the detail of the politics of Europe; he had studied deeply the law of nations; he was acquainted with modern languages; he could endure fatigue; and had not an avocation or a pleasure to interrupt his attention. He loved business as his father did; it was not merely the result of his ambition, but his amusement; the flowers of imagination, or the gaieties of society never seduced him astray. There was nothing to dissipate his ideas, and he brought his mind to bear on the subjects before him with its full force. Lord Grenville's talents as an orator were more than usually distinguished in 1795, on occasion of the attack which had been made upon the king during his passage to open Parliament. He brought in a bill to provide for the safety and protection of the royal person, which gave rise to a long and stormy debate, and afforded ample opportunity to Lord Grenville for the most loyal exertion of

DEATHS.—JAN.

his rhetorical abilities. He had the satisfaction of seeing his motion carried by a large majority; and he followed up his success by another bill to suppress the formation or continuance of seditious societies. In promoting the union with Ireland he took an active part with Mr. Pitt, and shared with him in giving the intimations on which the Roman Catholics of that country founded their claims to emancipation. When it appeared that there were obstacles to emancipation which could not be overcome, the Ministry felt themselves obliged to resign their offices. When application was shortly after made to Mr. Pitt to join the parties then in power, he refused to accede, unless Lord Grenville was included in the arrangements; which proposal being rejected, the negotiation ended. But no long time elapsed before Mr. Pitt found himself obliged to yield to the urgent necessities of the state, and he again took his seat as first lord of the treasury, in May, 1804, without having stipulated for Catholic emancipation. Lord Grenville, with Mr. Windham, refused to join him; and from that time, until the death of Mr. Pitt in January, 1806, lord Grenville took a prominent part in the ranks of the opposition. On Mr. Pitt's death, the administration was formed which is known by the name of "All the Talents." It was not a little extraordinary that when lord Grenville was the prime minister, Mr. Fox should be his secretary of state. It was an important obstacle to the duration of this ministry, that the religious principles of the monarch were directly opposed to the measures to which lord Grenville considered himself pledged; and a party, equally zealous as the sovereign in their resistance to the claims of the Roman Catholics, proved too powerful for the continuance of the Ministry beyond the brief period of thirteen months. During that time lord Grenville suffered not a little in his popularity by obtaining an Act of Parliament enabling him to hold, together with the premiership, the profitable, but nearly sinecure, office of auditor of the exchequer, which had been conferred upon him in 1795, and which he retained until his death. His lordship did not subsequently accept any more prominent office. When the resignation of lord Castlereagh and Mr. Canning left lord Liverpool the only secretary of state,

performing the business of the three departments, official letters were addressed to earl Grey and lord Grenville, proposing the immediate formation of a combined ministry. They were both in the country when these communications reached them. Earl Grey at once declined all union with Mr. Percival and lord Liverpool, and did not come to town. Lord Grenville, who was in Cornwall, came immediately to town, but the next day declined the proposed alliance, because he could not view it in any other light than as a dereliction of principle. At the close of the same year, his lordship was chosen chancellor of the University of Oxford. He continued in opposition to the government during the war; but on the final defeat of the French in 1814, he heartily congratulated the country on the prospect of an immediate peace, and in the following year supported ministers in their resolution to depose Napoleon. From that time he ceased to take a prominent part in parliamentary discussions, except during the debates on Catholic emancipation. In 1804, lord Grenville edited the letters which had been written by the great earl of Chatham to his nephew, Thomas Pitt (afterwards lord Camelford) when at Cambridge. Besides several speeches, &c., he also published a "New Plan of Finance, as presented to Parliament, with the tables, 1806." "A Letter to the earl of Fingal, 1810." He also defended his Alma Mater in a pamphlet, against the charge brought against her of having expelled Locke. He enriched an edition of Homer, privately printed, with valuable annotations; and translated several pieces from the Greek, English, and Italian, into Latin, which have been circulated among his friends under the title of "Nugæ Metricæ." His lordship, as well as his brother, the right hon. Thomas Grenville, had collected a very valuable library. In July 18, 1792, he married the hon. Anne Pitt, only daughter of Thomas, first lord Camelford, and sister and sole heiress of the second lord, who was slain in a duel with Mr. Best, in 1804. Her ladyship survives him, and as they never had any issue, the barony of Grenville has become extinct.

12. At the house of his sisters, in Le-man-street, aged 72, Aaron Cardozo, esq. late of Gibraltar, Knt. of the Legion of Honour, &c.

DEATHS.—JAN.

12. At Stockwell, aged 73, Josiah Taylor, esq. for many years an eminent bookseller in Holborn, particularly for works on architecture.

13. William Blackall Simonds, esq. of Caversham, late receiver-general for Berks, and a magistrate of Oxfordshire.

14. In Guernsey, lieutenant-colonel William Irving, late of the 28th foot.

15. At Vizianagrum, aged 27, capt. George de Blaquiere, 8th Madras infantry, second son of the hon. P. B. de Blaquiere, and grandson of John first lord de Blaquiere.

— At Boulogne, aged 38, the right hon. Sarah-Garcy lady Lyndhurst. She was a daughter of Charles Brunsdell, esq. and was married first to lieutenant-colonel Charles Thomas, who was killed at Waterloo. She was married secondly, March 13, 1819, to sir John Copley, now lord Lyndhurst, and has left three surviving daughters. Her ladyship's remains were brought to England, and deposited in the new church of St. John's, Paddington, attended by lord Lyndhurst, lord Henley, Mr. Shepherd, &c., followed by the private carriages of the lord Chancellor, the earl of Carlisle, lord Holland, chief-justice Tindal, the Master of the Rolls, baron Bayley, baron Bolland, baron Vaughan, baron Gurney, judge Alderson, &c.

17. At Oxford, George Williams, M.D. late fellow of Corpus Christi College, in the University of Oxford, Regius Professor of Botany, keeper of the Radcliffe Library, and one of the Delegates of the University Press. Dr. George Williams was the son of a clergyman, benefited in Hampshire, who was the author of a very valuable little work, entitled "Education of Children and young Students in all its branches, with a short Catalogue of the best books in Polite Learning, and the Sciences, and an Appendix concerning the usefulness of Natural Philosophy to Divinity, taken out of the celebrated writers on that subject." He was admitted upon the foundation at Winchester. From Winchester, at a very early age, and after the usual severities of examination, he was elected to a Hampshire scholarship at Corpus Christi College, Oxford. In 1788, he was admitted to the degrees of M.B. and M.D.; he then became a fellow of the College of Physicians, but continued to discharge various important duties within the walls of Corpus

Christi College, as a resident fellow, practising, at the same time, as a physician in the University and City of Oxford. In 1789, he was elected one of the physicians of the Ratcliffe Infirmary. In 1796, on the death of Dr. Sibthorpe, he was elected by the fellows of the College of Physicians, according to the terms and conditions of Dr. Sherard's benefaction, Sherardian Professor of Botany, to which appointment is annexed the Regius Professorship in that Science. In 1811, upon the death of the rev. Dr. Hornsby, Dr. Williams was elected Keeper of the Radcliffe Library by the ten distinguished individuals to whom Dr. Radcliffe has, by will, assigned the right and power of election. This appointment may, with propriety, be represented as a new era in the history of that Library, not merely because he was the first physician who had held the office of librarian, nor because he was the first who had any active and urgent duties to perform in the library, but specially by reason of the important change which then took place in the course pursued in the purchase and collection of books, and the general character of this repository. Before Dr. Williams's appointment, no particular rule or principle appears to have been observed, in furnishing the cases and shelves with literary stores. No particular branch or branches of science or literature seem to have fixed the attention and determined the choice either of the trustees or the librarian. But viscount Sidmouth, with his co-trustees, resolved to distinguish this library from the Bodleian, by dedicating it exclusively to Physiological and Medical science. In carrying into effect these great national as well as academic purposes, the trustees found in Dr. Williams's extensive reading, retentive memory, and comprehensive views, the very talents and accomplishments which were necessary to ensure the successful execution of their design. As far as it has been carried into effect, it has been ably executed. The shelves, which present to the student's eye all the best productions of the French, German, and Italian, as well as British press on general physics, or particular branches of natural science, bear witness to the assiduity, as well as ability, with which the work has been conducted. The volumes are all philosophically distributed (as far as possible) under general and particular heads, or subjects.

DEATHS.—JAN.

18. At Fritwell, Oxon, Julia Anna, wife of the rev. B. Lambert, vicar, third daughter of the rev. T. Fawcett, rector of Greens Norton.

19. At Mount Mascal, Kent, Mary Anne, relict of the rev. sir John Robinson, bart.

— In Bolton-street, aged 56, sir Charles William Flint, late resident secretary of the Irish office in London. He was knighted May 29th, 1812, on acting as proxy for sir Henry Wellesley at the installation of the Bath.

— Drowned by the upsetting of a boat on the South American coast, lieut. John M'Clindock Clive, of H. M. S. Challenger, together with the purser's steward and two boys. He was son of Theophilus Clive, esq. of the Isle of Wight, and nephew of Edward B. Clive, esq. M.P.

21. Mr. George Leigh, claimant to the title and estates of the late Edward lord Leigh, of Stoneleigh.

— At Geanies House, county of Ross, aged 88, Donald Macleod, esq. who held the office of sheriff-depute of the counties of Ross and Cromarty for fifty-nine years.

22. Aged 76, Amias Bampfylde, esq. uncle to lord Poltimore.

— At Edinburgh, aged 62, lady Charlotte, wife of the right hon. Charles Hope, lord president of the court of session; and aunt to the earl of Hopetoun. Her ladyship was the second daughter of John, the second earl, by his third wife, lady Elizabeth Leslie, second daughter of Alexander, earl of Leven and Melville. She was married August 8th, 1793, to her first cousin, the present lord president, and has left issue four sons and eight daughters.

23. At York, Mr. George W. Todd, bookseller, author of a "Description of York, containing some account of its Antiquities, public Buildings, and particularly the Cathedral." He was also the author of "Castellum Huttonicum—Some account of Sheriff Hutton, founded in the reign of King Stephen, with brief notices of the Church of Saint Helen, the ancient Forest of Galtres, the Poet Gower, of Stittenham, &c. &c.," which was published in 1824.

— In Grosvenor-place, Fanny, widow of Thomas Orby Hunter, esq.

— Lancashire—In Liverpool, aged 32, Mungo Park, nephew of Mungo Park the African traveller, and son of the late Mr. Park, of the Isle of Mull, whom

sir Walter Scott, in the notes to "Guy Mannering," acknowledges was the original of Dandie Dinmont.

— At St. Lucia, major-gen. James Alexander Farquharson, of Oakley, governor of that colony.

24. At Bath, Edward Upham, esq. F.S.A. late of Dawlish, and formerly of Exeter. Mr. Upham began life as a bookseller, at Exeter, and was for many years one of the most eminent in that city. Having acquired what he esteemed a sufficient competence, he retired some years ago from business, and devoted the remainder of his life to his favourite literary pursuits. In 1824, he published anonymously, "Rameses," an Egyptian tale, in three volumes; a work exhibiting considerable research, but more remarkable for the curiosity and value of the notes than for the ease or interest of the story. His "Karmath," an Arabian tale, brought out in one volume in 1827, is written in a more agreeable manner. Between the publication of these two productions of his more leisure hours, he had engaged in the very laborious task of completing the Index to the Rolls of Parliament, which had been left unfinished by the late rev. John Pridden, F.S.A. after that gentleman had been employed upon it for thirty years. Mr. Upham completed the task in 1832. But during the same period, he was engaged on another recondite, if not more laborious work. This was a History of Buddhism, published in 1829, containing many curious illustrations of that faith, from original drawings procured in Ceylon, by sir Alexander Johnston. During the last year he edited translations of the three principal Buddhist histories of Ceylon, which threw much light upon the character and principles of the native sovereigns of that fair and beautiful territory, on their systems of law and government, and on the condition of the people subjected to their authority. He was also the author of a concise History of the Ottoman Empire, in Constable's Miscellany; of some papers in the Asiatic Journal, and other periodical publications.

25. At Hastings, Sussex, Wastel Briscoe, esq. of Devonshire-place, and Height Hall, Yorkshire.

26. At Southgate, Middlesex, the widow of C. Idle, esq. M.P. for Weymouth.

— At Fannyvolen, near Liskard, Cornwall, John Richards Lapenotiere, esq. capt. R.N. aged 58.

DEATHS—JAN.

26. At Honfleur, aged 32, the right hon. Thomas George Bowes, lord Glamis, son and heir apparent of the earl of Strathmore, by his first wife, Mary, daughter and heiress of George Carpenter, esq.

— At Boulogne, aged 71, sir William Clayton, the fourth baronet, of Morden, in Surrey.

27. In Portland-place, universally respected, aged 69, William Goaling esq. head of the well-known banking house of Goalings and Sharpe, Fleet-street, and of Rochester Grove, Surrey. He was the eldest son of Robert Goaling, esq. banker of Lincoln's-in-fields, who was the younger brother of sir Francis Goaling, originally a bookseller, but who left that business and became a banker in 1742.

— In Dover-street, William Mellish, esq. This gentleman, it is supposed, has left property nearly amounting to three millions sterling, acquired chiefly by contracts for provisioning the navy during the war; and also in extensive business as a shipowner. His fortune devolves on his two daughters, the eldest of whom, Elizabeth, was married, July 8th, 1830, to lord Edward Thynne, the fifth son of the marquess of Bath; and the younger has, since her father's death (Feb. 22), been married to the earl of Glengall.

— At Knockmore Cottage, in his 72nd year, O'Connor, of Connorville. His remains were interred at Kilcrea Abbey.

30. At Paris, of a wound received in a duel with general Bugeaud, M. Du-long, member of the Chamber of Deputies for the arrondissement of Verneuil. M. Du-long was the reputed son of M. Dupont de l'Eure, leader of the Republican party. He was exercising his profession, as an advocate, at Evreux, when he was called upon, after the revolution of July, to fill an important office under the minister of justice. He was elected deputy by the arrondissement of Verneuil. "Being restrained," says the *Messenger des Chambres*, "in the independence of his votes, by the claims of the subsequent minister of justice, M. Barthe, he threw up his place, in order to remain, like M. Dupont, above all things, faithful to his duties of deputy. Recently inscribed on the list of advocates of the Cour Royale of Paris, he made himself voluntarily the defender of the unfortunate. Only a few days ago

he was heard in the Tribune, using the language of reason and humanity in favour of the refugee Vucchiarelli. His united talents and probity, rectitude and courage, energy and goodness, and all those qualities which entitle a man to the esteem and consideration of his fellow-citizens. France loses in him one of the noblest of her children, and the people one of the most honest of their representatives."

31. At Walbottle House, Northumberland, aged 88, William Potter, esq.

— At Stoke, near Plymouth, aged 71, lieutenant-colonel Peter Littlejohn, of the Madras Establishment.

— At Glasgow, in his 43d year, and the 21st of his ministry, the rev. Alexander Turnbull, minister of the Associate Congregation, Campbell-street. His funeral was attended by many of the clergy of the city, and by upwards of 500 of his own congregation.

— At Bath, aged 43, the hon. Frederick Noel, captain R.N. brother to lord Harham.

Lately. At Fareham, aged 36, Mrs. Giffard, mother of vice-admiral Giffard.

Lately. Captain Campbell, of the 47th regiment, in consequence of a fall from his horse while hunting near Melling.

FEBRUARY.

2. At his seat, Serlby Hall, Nottinghamshire, in his 52nd year, the right hon. William George Mordaunt Arundell, fifth viscount Galway and baron of Killard, county of Clare (1727). This nobleman was born March 28th, 1782, the eldest son of Robert, the fourth viscount, by his first lady, Elizabeth, daughter of Daniel Matthew, esq. of Felix Hall, Essex. He succeeded to the title on the death of his father, July 23rd, 1810. He was fond of literature; he had collected a valuable library; and was a patron of topographical and antiquarian works.

— Aged 22, William Christopher Guise, esq. Commoner of Christ Church, eldest son of the rev. Powell C. Guise, rector of Crake, Durham, and nephew to sir William Guise, bart. His talents had already obtained for him distinguished academical honours.

6. At Lichfield, in her 70th year, Mrs. Mary Gresley, sister to the late rev. William Gresley, rector of Netherseale, Leicestershire.

— At Belfast, aged 80, Mrs. Anne

Stevenson. He was a native of Paisley, and having resided many years in Glasgow, went to Ireland to superintend a manufacturing concern. He was the author of several poetical pieces, of a religious cast.

6. At Fernando Po, aged 30, Mr. Richard Lander, the enterprising African traveller. The early part of his history is found in an auto-biographical sketch, which he prefixed in 1830 to his Records of captain Clapperton's last expedition to Africa. "I am the fourth," says he, "of six children, and was born at Truro in 1804, on the very day on which colonel Lemon was elected member of Parliament for the Borough. Owing to this striking circumstance, my father, who was fond of sounding appellations, at the simple suggestion of the doctor who attended, added Lemon to my baptismal name of Richard. • • My rambling inclinations began to display themselves in early youth. I was never easy a great while together in one place, and used to be delighted to play truant and stroll from town to town, and from village to village, whenever I could steal an opportunity; as well as to mix in the society of boys possessing restless habits and inclinations similar to my own. I used also to listen with unmixed attention to old women's tales about the ceremonies and manners of the natives of distant regions of the earth, and never felt greater pleasure than when, dandling me on their knees, or stroking down my face with their aged hands, they used to say, 'You will be sure to see two kingdoms, Richard, for you have two crowns upon your head!' I was no more than nine years of age, as nearly as my memory will allow me to guess, when, owing to a series of domestic misfortunes, I left the paternal roof, and have ever since been almost a stranger in the place of my nativity. At the early age of eleven I accompanied a mercantile gentleman to the West Indies, and whilst in St. Domingo, was attacked with the fever of the country, suffering so severely under its influence, that my life was despaired of; but, owing chiefly to the kindness and attention I experienced from some benevolent and sympathising negro females, joined to my youth and a naturally vigorous constitution, I recovered my wonted health, and after an absence of three years, returned to

VOL. LXXVI.

my native country in 1818. From that period, until the attainment of my 19th year, I lived in the service of several noblemen and gentlemen, one of whom I accompanied to France and other countries on the continent; when, hearing on my return, that major Colebrook, one of his majesty's commissioners of inquiry into the state of the British colonies, was in want of an individual to proceed with him in the capacity of servant, I quitted the place I then held, and procured the vacant situation with little difficulty." Lander then proceeds to relate some particulars of his voyage with this gentleman, with whom he sailed in the spring of 1823, and after accompanying him from one extremity to the other of the colony at the Cape, returned to England in 1824. "I had not," he proceeds, "been many weeks in the metropolis, before I accepted of a situation in the establishment of a kinsman of the duke of Northumberland, where my time passed away pleasantly and thoughtlessly enough; till the return of captain Clapperton and major Denham from the interior of Africa, in the following year, again roused my rambling propensities, and I could not help reproaching myself for having remained so long a time in a state of comparative indolence. I determined from that hour to embrace the first favourable chance of once more quitting my native shores; and an opportunity soon offered itself that promised to gratify my fondest and warmest inclinations. Having heard, that it was the intention of the British Government to send out another expedition for the purpose of exploring the yet undiscovered parts of Central Africa, I waited upon captain Clapperton, and expressed to that brave and spirited officer, the great eagerness I felt to become a party, however humble, to that novel and hazardous undertaking. The captain listened to me with attention, and after I had answered a few interrogations, willingly engaged me to be his confidential servant. There was a charm in the very sound of Africa, that always made my heart flutter on hearing it mentioned. In vain my London acquaintance urged upon me the risk I should incur of finding a grave; and equally vain were the kind representations of a medical gentleman, who painted to me in lively colours the imminent dangers to which my life

P

DEATHS.—FEB.

would be exposed, by reason of my youth, inexperience, and habit of body. My relations in Cornwall sent me numbers of letters, couched in the simple and affectionate language of nature, endeavouring to dissuade me from proceeding; and George Croker Fox, esq. a highly respectable gentleman residing near Falmouth, with a spirit of amiable benevolence, exerted himself for the same object, promising that, if my determination to leave England was fixed, he would, that I should not expose myself to African dangers, procure me a lucrative situation in one of the South American republics. But no inducement could make me swerve, even in thought, from the line of duty I had laid down for myself; or cool the ardour that warmed me to attempt, at least, the accomplishment of the great object towards which my earliest thoughts had been directed. Indeed I had already gone too far to recede; and leaving the metropolis with captain Clapperton, I arrived at Portsmouth, in order to embark in the Brazen sloop-of-war, captain Willis, on the 24th of August, 1825, being then in the twenty-first year of my age." The mortality of the climate soon deprived captain Clapperton of every European companion but Lander, and from that time, the quality of their relations naturally changed in a very material degree. "Captain Clapperton," Lander remarks, "for various reasons, thought proper to style me his son, and the natives ever after regarded that gallant officer as my father. Surrounded as we were by strange faces, and strange scenes, cut off from all communication with civilized society, and wandering, far from our native country, in barbarous regions, and oftentimes through long dismal woods and awful solitudes, we became linked to each other by the strongest of all ties." The death of Clapperton occurred on the 10th of April 1827, and Lander from that time sought every means to convey himself home. This, however, he did not accomplish in less than a twelve-month; but at length arrived safely at Portsmouth, on the 30th of April, 1828. Having remained in London three or four weeks, in order to prepare a rough copy of his Journals to be laid before Government, Lander returned to his friends at Truro, after an absence of nearly thirteen years. During the

ensuing summer, his health continued to suffer so much, that the first narrative of his travels was printed in the rough and unfinished form in which it had been hastily drawn up. He was therefore induced to compile a fresh work from his additional recollections, which was published in 1830, in two post 8vo. volumes. In the composition of this work, as in the correction of the former, Lander was indebted to his younger brother John, who had been brought up as a printer at Truro. When this work was completed at the press in December, 1829, he added a postscript to state, that his majesty's government had engaged him to proceed to Fundah, and trace the river Niger, from thence to Benin, and that whilst the public would be perusing the work, he would be again on his way to the shores of Africa. On this occasion he was accompanied by his brother John. It was this second expedition which became the triumph for Lander's fame, and imparted to his name a large share of immortality. In 1831, the discovery of the course and termination of the Niger was announced; and the return of the brothers to England, and to the place of their birth, was the subject of the warmest congratulations. Richard's journal had been lost in the Niger; and to John's we owe the narrative before the public. The prudence and domestic disposition of John now fixed him in his native land; whilst Richard was again hurried away by the same enterprising ambition which had actuated him through life; and, at length found the same untimely fate which had overtaken all his predecessors in the same path. His last letter to his friends at Truro, was dated on the 1st of January. He then stated, that "he had been very unfortunate in losing so many of his companions, forty in number; that he had himself been ill with dysentery eight months, but was quite recovered, and was as strong as a Gosmoor pony [the Gosmoor near Bodmin]; that he was then on his way to the interior for the third and last time; that he had purchased an island near the city of Atta, on which he had built a house, and which he intended as a dépôt for merchandise, and that he purposed to be in London about the end of May." He spoke particularly of the kindness he "received from the kings and chiefs of the interior;"

DEATHS.—FEB.

and seemed delighted with the idea of being the means of effecting "a commercial intercourse with the natives," and of gradually extinguishing the slave-trade. The circumstances attending Lander's murder are thus related in a letter dated Fernando Po, February 6th, 1834, "R. Lander left this place some weeks since in the Craven cutter, taking with him a long-boat. Arriving at the Nun, he left the cutter, and proceeded up the river in the boat, with about 400*l.* worth of goods, to join the iron steam-boat, which he had sent up a few weeks before. She was to proceed about 300 miles up, to a small island which he had purchased of the king, and where he had a factory. They had gone about 100 miles up, the current strong against them, and were in good spirits, tracking the boat along shore, when they were fired on from the bush: three men were killed and four wounded; Mr. Lander was one of the latter. They had a canoe of their own; at the time they were fired on, the boat was aground; and to save themselves they were forced to leap into the canoe and make the best of their way. They were immediately followed by five or six war-canoes full of men; keeping up a continued fire for five hours, till it got dark. They arrived here on the 27th ult. Mr. Lander expired this morning. The ball had entered his hip, and worked down to the thick of the thigh. Mr. Lander told me they were Bonny, Brass, and Benin canoes; so that I think some of the slavers, or other Europeans, have been the promoters of this murderous affair. Mr. Lander's papers are all lost."

7. At Broadwell, aged 86, Hester Eleanor, widow of George Strattan, esq. of Tew Park, Oxon, mother of George Frederick Stratton, esq. who lately died in America.

— At Tunbridge-wells, aged 35, Caroline, wife of T. Chandless, of Lincoln's-inn, esq. and youngest daughter of sir William Long, of Bedford.

— At Caen, aged 64, M. de Bourienne, formerly minister of state, born at Sens, July 9th, 1769. He was brought up in the military school at Brienne with Napoleon Buonaparte, with whom he there formed an intimate friendship. Being intended for diplomacy, he was removed from Brienne to Leipsic, and in 1792, was appointed Secre-

tary of Legation at Stuttgard, whence he was recalled on the breaking out of the German war. Having returned to Leipsic (where he married) he was shortly after arrested by the court of Dresden, on suspicion of corresponding with the French emissaries; and, after an imprisonment of seventy days, was commanded to quit the electorate. In 1797, general Buonaparte invited Bourienne to become his secretary; and he accompanied the conqueror in all his Italian campaigns, and also in Egypt. In conjunction with general Clarke, he drew up the memorable treaty of Campo Formio. When Buonaparte was appointed to the consulate, M. de Bourienne was nominated a counsellor of state; and subsequently he was sent to Hamburgh as chargé d'affaires, and envoy extraordinary, to the circle of Lower Saxony. He continued to reside at Hamburgh until the fall of Napoleon, when he returned to Paris. On the 3rd of April, 1814, the provisional government appointed him director-general of posts; and in the course of the same year he published a pamphlet, entitled "A History of Buonaparte, by a Man who has not quitted him for fifteen years." His larger work, the *Memoirs of Napoleon*, is well known. When Louis XVIII. returned to Paris, M. de Bourienne was removed from the office of the Posts, which was given to M. Ferrand. However, on the 12th of March 1815, he was appointed to the prefecture of police; and he afterwards fled with the king to Ghent. In the month of July he was again at Paris, and restored to his employment. He continued a minister of state until the termination of the reign of Charles X. The "glorious revolution of the three days," combined with the loss of his fortune, is supposed to have deprived M. de Bourienne of his reason; and he passed the latter part of his life at a *maison de santé* in Normandy, where he died of apoplexy.

8. At Beckenham, aged 30, Henry Shute, esq.

— At Peniarth, in his 60th year, William Wynne, esq. deputy lieutenant for Carnarvon and Merioneth.

— At Acton, aged 15, Charlotte, eldest daughter of Boyce Combe, esq.

9. John Montgomery, esq. of Locust Lodge near Belfast, an eminent agriculturist.

— At Edinburgh, in his 92nd year,

DEATHS.—FEB.

John Hamilton, esq. of Dalzell, county Lanark, a general in the army.

9. At Upper East Sheen, Miss Henrietta Sarah Molesworth, cousin to Viscount Molesworth, daughter of the hon. Robert Molesworth, who died in 1814, by the hon. Mary Jones, eldest daughter of Charles 4th Viscount Ranelagh.

11. At his family seat of Mainsforth, in the county of Durham, in his 55th year, Robert Surtees, esq. M. A., F.S.A. the historian of that county.

— At Chesham, Bucks, aged 77, the rev. Edward Sexton, during more than half a century minister of the General Baptist Church at that place, having succeeded his grandfather, the rev. Thomas Sexton, who had been the pastor during 57 years.

— Ann, widow of K. Whatley, esq. of Holtze House.

— At Belfast, captain Loftus Nunn, late of the 31st regiment.

— At Sandgate, captain George Lucas Rennie, R. N. late of his Majesty's ship Isis.

— At Oak Lawn house, near Eye, Suffolk, aged 78, rear-admiral sir Charles Cunningham, K.C.H.

12. At Hatton Grange, Salop, in his 70th year, Robert Slaney, esq.

— Aged 69, John Butler Pomfret, esq. of Tenterden.

14. At Hoxtable-house, near Dartford, aged 76, Isaac Espinasse, esq. Barrister-at-Law, a bencher of Gray's-inn, and a justice of the peace for Kent.

— At Florence, aged 72, Robert Plampin, esq. vice-admiral of the White.

— In Portman-square, aged 82, the right hon. John Shore, baron Teignmouth, &c. F.S.A., and President of the British and Foreign Bible Society. He was a son of Thomas Shore, esq., sometime of Melton in Suffolk, who died in 1759. Mr. Shore went early in life to India in the civil service of the East India Company. He arrived in Bengal in May 1769, and was soon afterwards stationed at Moorshedabad as an Assistant under the Council of Revenue. From Moorshedabad he proceeded, in 1772, to Rajeshahye as an Assistant under the Resident at that station. In the following year his success in acquiring a knowledge of the Persian language obtained for him the office of Persian Translator and Secretary to the Provincial Council of Moorshedabad; and

in 1774 a seat at the Calcutta Revenue Board, where he continued till the dissolution of that Board in 1781, and the establishment of a General Committee of Revenue at the Presidency, of which he was appointed Second Member. In January, 1785, he came to England with Mr. Hastings, with whom he had contracted an intimacy, and in the April of the following year returned to Calcutta, having been appointed by the Court of Directors to a seat in the Supreme Council as an acknowledgment of his distinguished talents and integrity. Retrenchment was the order of the day, and Mr. Shore took an active and prominent part in the formation of the revenue and judicial systems of India. To his influence in the Council, the judicial and fiscal reforms introduced by Lord Cornwallis are in a great measure attributable; more especially his Lordship's grand measure of making the zemindar the proprietor of the soil. Mr. Shore was also mainly instrumental in the fabrication of that code of law published in Bengal in the year 1783, shortly after its author had succeeded the Marquess Cornwallis as Governor-general of India. On succeeding to the Government-general of India, Mr. Shore was created a Baronet; and previously to his retirement he was raised to a peerage of Ireland by patent, dated Oct. 24, 1797. He was the bosom friend of sir William Jones, and succeeded him in the presidency of the Asiatic Society. In 1804 he published in 4to. "Memoirs of the Life, Writings, and Correspondence of Sir William Jones;" and in 1807 he edited, in 13 vols. 8vo. "The Works of Sir William Jones, with the Life of the Author." His Lordship was appointed a Commissioner for the Affairs of India, April 4, 1807, and was sworn one of the Privy Council on the 8th of the same month. He retained his seat at the India Board until a recent period; but never sat in Parliament. On the formation of the British and Foreign Bible Society, in 1804, Lord Teignmouth was fixed upon as the most suitable person to occupy the office of President.

15. Aged 37, H. Barry, esq. of the hon. Society of Lincoln's Inn, Barrister-at-law.

— At Leamington, aged 85, sir Thomas Hare, of Stow Hall, Norfolk, bart.

16. At Dublin, aged 40, Thomas

DEATHS.—FEB.

Melrose, the vocalist, leaving a wife and four children.

16. At Hythe, in his 92d year, Lionel Lukin, esq., for many years an eminent coach-builder of Long Acre. He was the inventor of the safety-boat. His first experiments for this purpose were made on a Norway yawl, which he purchased in 1784; and, having completed the alterations he deemed necessary, and proved their efficacy as far as practicable on the Thames, he procured a patent for the invention, which bore date the 2d. of November 1785. Shortly after he was advised by capt. James, then deputy master of the Trinity House, to entrust his boat, which he had named the 'Experiment', into the hands of a Ramsgate pilot, then in London, in order that its powers might be put to the utmost test in violent weather. This was done; but he never heard any more of the man, nor received any remuneration for the 'Experiment' and its furniture. Mr. Lukin immediately built a new boat for his own use, (about twenty feet long, like the former), which, from the prodigies it performed, he named the 'Witch.' It was let to several persons, and among others to sir Sidney Smith, who in repeated trials found that it could neither be upset nor sunk; and its rapidity of sailing (from its ability to carry a greater quantity of canvass than usual) was triumphantly proved by Mr. Lukin himself at Margate. Though for a time Mr. Lukin's "unimmergible boats" excited very general discussion; yet, like many similar inventions, rather desirable than absolutely requisite, he had little demand for them. Besides fitting up a boat for the Bamborough charity, he built only four after his own. One of these has often proved of vital utility at Lowestoft. Some time, however, after his patent had expired, he was mortified to witness the attention excited by the invention of Mr. Greathead, a boat-builder of Shields, who received not only the honorary approbation of the Society of Arts, but afterwards a pecuniary reward from Parliament; though Mr. Greathead's life boat was, "as to all the essential principles of safety, precisely according to Mr. Lukin's patent, and differed from it in no considerable respect, except the curved keel, which contributes nothing to the general principles of safety, but renders it unfit for a sailing boat." In 1806 a

gazine put forward a claim to the invention of the life-boat, in opposition to that of Greathead, on the part of Mr. Wouldhave of Newcastle; and Mr. Lukin in consequence wrote three letters, asserting the priority of his own patent, which were printed in that work, vol. lxxvi. 621, 819, 1110. The same party (Mr. Hails, of Newcastle) having about the same time published a pamphlet on the subject, Mr. Lukin also thought proper to do the same, which he put forward under the title of "The invention, principles of construction, and uses of unimmergible boats; stated in a letter to his Royal Highness the Prince of Wales," 8vo. pp. 36, with a plate. Mr. Lukin was the author of several useful improvements in the construction and conveniences of carriages. He also invented a raft to assist in raising persons from under the ice, which he presented to the Humane Society, and it has been successfully employed in Hyde Park. He contrived an easily inclining and elevating bedstead, for the comfort of impotent invalids, and presented one to several infirmaries. He was also skilled in the higher sciences; and pursued the study of astronomy, geometry, optics, and hydraulics. He invented a pluviometer, and kept for many years a diary of the weather, which he compared with that of a correspondent at Budleigh in Devonshire, and which he continued until the year 1824, when his eyesight failed.

17. At Bath, aged 68, Mr. John Thelwall. This once popular character was born in 1766, in Chandos-street, Covent-garden, and was educated in private schools, at Lambeth and Highgate. He was first a student at the Royal Academy, next a clerk in an attorney's office, and afterwards a student in medicine. But his favourite schools were the debating societies, and these finally led him to neglect every employment of more practical utility. Intoxicated with the doctrines of the day, he became a leading speaker at popular meetings, and in 1792 commenced a series of lectures on political subjects. Night after night, his inflammatory harangues drew crowded audiences. At length, political lecturing was interdicted by Act of Parliament; and, before the enactment, Mr. Thelwall was included in an indictment for treason, with eleven other members of certain associations. After a trial of three days, he was acquitted,

DEATHS.—FEB.

and borne to his house on the shoulders of an excited mob. To evade the Act of Parliament alluded to, he professed to lecture upon ancient history; but, his orations not proving lucrative, he undertook without success, a lecturing tour of England. Seeking respectability in a country life, he took a small farm near Hay in Brecknockshire; but, being unsuccessful in this pursuit, he adopted the scheme of lecturing throughout the country on elocution, unmixed with politics. In this he was more fortunate, and, after an itinerant course of some years, he again settled in London, taking pupils afflicted with impediments of speech, in the cure of which he was eminently successful. For several years he was thus enabled to keep a carriage and a respectable establishment. He was himself a striking instance of the success of his own powers in overcoming the imperfections of nature by art. His voice was originally feeble and husky; yet, by perseverance, he acquired an extraordinary distinctness of articulation, and even in the open air, could make himself heard at a great distance. Some years ago he settled at Brixton, near London, received pupils, and lectured on elocution, the drama, &c., at numerous public institutions. This course he pursued to the last; and was making a tour in the West of England, when he was suddenly attacked at Bath, with some affection of the heart, which terminated his life. Among the numerous publications of Mr. Thelwall, may be mentioned, an essay towards a definition of animal vitality, in which several of the opinions of John Hunter are examined and controverted; *The Vestibule of Eloquence*; a *Letter to Mr. Cline, on defective developement of the Faculties*; *Illustrations of Rhythms*; *Results of Experience on deficiency in the roof of the mouth*, &c.

17. At Brighton, aged 53, sir Thomas Clarges, the fourth baronet (1674).

— Daniel Law, a pauper belonging to the parish of Hinckley, Leicester, but a member of the Trades Union; and at his funeral about 2,000 of the members followed in procession through the principal streets, with drawn swords halberds, mottoes, and emblems.

18. At Bushire, Frank Gore Willock, esq., capt. R.N.

— At Rome, aged 40, the rev. Augustus William Hare, rector of Alton Barnes, Wiltshire. He was late a fel-

low of New College, Oxford, where he took the degree of M.A. in 1818, and was presented to his living by that society in 1829.

20. At Leamington, aged 28, the rev. Arthur Lister Lister-Kaye, rector of Thornton, in Craven; brother to sir John L. Lister-Kaye, bart.

— At Cheltenham, the widow of Henry Heyman, esq., of Queen-square, Bloomsbury, and the Priory, Roehampton, and many years consul for the Hans Towns.

21. At Freshfield, near Bath, aged 80, Mark Robinson, esq., admiral of the white.

— At Portobello, Clementina, relict of the hon. sir James Dewar, chief justice of Bombay.

23. At her house near St. Alban's, aged 78, the right hon. Elizabeth, dowager lady Monson.

— At Bargeny Hall, county Ayr, aged 60, sir Hew Dalrymple Hamilton, fifth baronet of north Berwick, county Haddington (1697), LL.D. &c. &c.

24. In Bulstrode-street, aged 53, the lady of lieutenant-general sir George Anson, G.C.B., sister to sir Frederic Hamilton, bart.

— At Cunningham-place, Regent's-park, major John Campbell, late of 11th infantry.

25. At Laveno, in Italy, aged 77, the reverend sir Henry Trelawney, the seventh baronet, of Trelawney in Cornwall (1628). Sir Henry was the only son of sir William Trelawney, the sixth baronet, a capt. R.N. (who died when governor of Jamaica, Dec. 11, 1772) by his cousin german Letitia, daughter of sir Harry Trelawney. Sir Henry was born at Bredshed in the parish of St. Budeaux, Devonshire, in June 1766; and, in 1770, shortly after his father had gone to Jamaica, was removed from the care of a worthy clergyman at Plympton, to Westminster School, where many of his ancestors had been educated. From Westminster he proceeded to Christ Church, Oxford, where he took the degree of B.A. in 1776. Shortly after, he became a convert to methodism, and, turning preacher, was greatly followed in all parts of the west of England. He next joined the Calvinists, and was ordained by them at Poole in Dorsetshire, when a sermon was preached, which was printed with a pompous account of the proceedings. At length, having married the daughter of a clergyman of the

DEATHS.—Feb.

establishment, he returned to the Church took his degree of M.A., at Oxford, June 22, 1781, was ordained at Exeter, by bishop Ross, and became an orderly parish priest in his native county. His relation bishop Buller gave him a small living in the neighbourhood of Truro, and afterwards the vicarage of Egloshayle, and also a prebendal stall in the cathedral of Exeter. His religious tenets, however, underwent another change. He resigned his preferments, and left England. He died in Italy, among the members of his last adopted creed, and great respect was paid by them on the occasion of his death.

— Aged 6, the hon. Caroline Isabella Barrington, second daughter of lord viscount Barrington. She was in a carriage with a governess, and four other children, to see the illuminations for the queen's birth-day, when she fell out and was run over.

26 At Munich, in his 63d year, Alois Sennefelder, inventor of the art of lithography.

— At Southampton, Maria Deborah, eldest daughter of the late Thomas Grosvenor, esq., sister of general Grosvenor, and first cousin of the marquess of Westminster.

27. At Barnes, aged 53, Mr. George Cooke, the eminent engraver. He was born in London, Jan. 22d 1781. His father was a native of Frankfort on the Maine, who settled in England early in life, as a confectioner, and having realised a moderate competency, retired from business. George Cooke, at the age of fourteen, was apprenticed to Mr. James Basire, the engraver, influenced probably by the example of his elder brother William, who had previously become the pupil of Angus, the publisher of a set of "Noblemen's and gentlemen's seats." When emancipated from the trammels of apprenticeship, his zeal and industry soon opened to him an animating prospect. About that time commenced the publication of the *Beauties of England and Wales*, which introduced to public notice several names destined to rank amongst the most eminent in the art of engraving, as the brothers Cooke, Burnet, Pye, and the Le Keux's. In conjunction with Mr. William Cooke, and also separately, George Cooke executed many plates for that work, which are marked with strong indications of a sedulous care and eagerness to excel, the characteristics in all his

productions. Of his earliest works, some allegorical designs with portraits of German authors, and a small book plate entitled "Edward and Annette," illustrating a novel translated from the German, are creditable to his self-educated powers in engraving the human figure. Shortly after, jointly with his brother, were produced two highly-wrought large plates of celebrated race horses, Haphazard and Muly Moloch. The painter was Marshal of Newmarket, between whom and the owner of the horses, Lord Darlington, a misunderstanding arose before the plates were completed, and that nobleman withdrawing his patronage from the enterprize, the consequences fell heavily upon the young engraver, who saw the fruits of much time, anxiety, and labour destroyed at a blow. Views of Ouse Bridge, York, for Dayes's works, and Thorney Abbey, after Alexander, for Lysons's *Britannia Depicta* evidence rapid improvement, while some outlined divinities for Hort's *Pantheon*, and a series of heads of mere mortals, with some statues and historical groups, also in outline, for the "Historic Gallery," account for the employment of his time down to the beginning of 1808, when the extensive series of plates illustrating Pinkerton's "Collection of Voyages and Travels" absorbed, for several successive years, the greater part of his time and attention. During the progress of this publication, Mr. William Cooke had projected and commenced the first edition of "The Thames," to which George Cooke contributed only three plates, Monkey Island, Temple House, and the gateway at Tilbury Fort. The "Thames" was the precursor of the "Southern Coast of England." Early impressed with an unbounded admiration of the works of Turner, and entertaining a deep conviction of the advantages likely to accrue from any plan which should place the works of his pencil more immediately within the scope of public attention, the brothers seldom met without discussing their favorite topic. At length the first number came out Jan. 1, 1814, and continued at intervals until the appearance of the last, in the spring of 1826. Of this series of plates, George Cooke engraved one third of the whole, together with eight vignettes. An improved edition of the "Thames" followed, containing some tasteful and elaborate specimens of graphic skill from his hand;

DEATHS.—FEB.

amongst these "The Launch of the Nelson," and "The Fair on the Thames" after Clennell, and "The opening of Waterloo Bridge," after Reinagle, are deserving of particular notice. He had previously executed fourteen small views in the Scandinavian peninsula, after sketches by sir T. D. Acland, bart., as well as some ten or a dozen miniature views for Pinkerton's "Petralogy;" and he completed an extensive series on a larger scale, of which a few had been finished by his brother, for sir Henry Englefield's work on the Geological features of the Isle of Wight, and the neighbouring coast of Dorset. This engagement, united to a fondness for and knowledge of the science, led to his engraving for several years, the plates affixed to the Transactions of the Geological Society; but that body finally disused cal-cographic, and adopted lithographic, illustrations.

Three plates of higher pretensions, and in different walks of Art, were his next productions: one, the Iron Bridge at Sunderland, from an outline by Blore, with a vigorous effect of light and shade thrown in by Francia, for Surtees's History of Durham; the second after a drawing by Alexander, of the great Bacon's statue at St. Alban's, for Clutterbuck's Hertfordshire; and the last a view of Gledhouse in Yorkshire, after Turner. From those highly-wrought productions, we trace him proceeding with the same facility and success to works of a slight and sketchy description; into the Peak scenery of Derbyshire, published by Mr. Rhodes of Sheffield, he transfused all the grace, spirit, and expression, of Chantrey's originals. Meanwhile the influence of the "Southern Coast" was powerfully acting on public taste. Some of its earliest effects were Hakewill's "Italy," and the "Provincial Antiquities and Picturesque Scenery of Scotland." For each of these works he executed some interesting plates: in the former two of Naples, the Campo Vaccino of Rome, and Florence; in the latter, Edinburgh from the Calton Hill after Turner, Edinburgh from St. Anthony's Chapel, and Edinburgh from the Braid Hills, both after Calcott, rank with the happiest efforts of art. In 1819 appeared Allason's Pola with thirteen plates, of which the frontispiece, a magnificent architectural composition after Turner, and five others, are from George Cooke's graver. He also executed some

clever plates for the Society of Dilettanti. Mr. Stanhope's Topography of Olympia contains seven of his productions; and a few occur in the engraved marbles and Terracottas published by the trustees of the British Museum. Contemporaneously with several of the later productions here cited, were a series of scriptural subjects etched in shaded outline, which, along with others by Mr. Moses, were affixed to the handsome Bible of the Cambridge University Press edited by D'Oyly and Mant. On the 1st of May 1817, appeared the first number of the Botanical Cabinet, undertaken by him in combination with the Messrs. Loddiges, of Hackney. Ten plates, small indeed and slight, but full of accurate and tasteful discrimination, were supplied monthly by his indefatigable hand, for nearly seventeen years: the last number, completing the twentieth volume, appearing in December 1833. In 1825, he finished his engraving of Rotterdam, from Calcott's fine picture belonging to the Earl of Essex, and shortly afterwards he issued a prospectus announcing a series of plates from the same eminent painter; of which two, Antwerp, and Doven, were begun and considerably advanced. But his Rotterdam was destined to be the origin of vexation and disappointment; the returns from its sale having been left for accumulation and security in the hands of agents who became insolvent, the hard earnings of his skill and industry were irretrievably lost. This event had an unfavourable influence on his plan, and he found himself compelled to suspend his operations on those plates, the rather that he was fairly embarked in the developement of a long cherished and favorite idea, of which the British metropolis was the theme. His "London and its Vicinity" was now in progress, and at its outset there appeared sufficient reason to hope that it would be successful. But he was opposed by a rival work; vastly inferior in every other requisite attraction or claim to public notice, his adversary's punctuality, and above all his cheapness, turned the balance. George Cooke had resolved to suspend this publication at the twelfth number, leaving it open, to be continued to twenty numbers, as proposed in the original prospectus, should circumstances afterwards justify his proceeding; but with the completion of the plates for the twelfth number his life attained its limit.

DEATHS.—FEB.

In the spring of 1833, was produced a separate work drawn from the metropolis; the subjects were the "Old and New London Bridges" executed conjointly with his son Edward W. Cooke, who also made the drawings. In a suite of twelve plates, the aspect of the old and new bridges, the demolition of the one and the gradual advancement of the other, were rendered with a masterly fidelity of drawing, light and shade, and execution, which stamps these admirable plates the perfection of architectural engraving. Among his single plates these in Nash's "Views in Paris," Colonel Batty's "Views of European Cities," Baron Taylor's "Spain," and more recently several in Starke's "Norfolk Rivers," and one of Southampton after Copley Fielding, for the "Gallery of Painters in Water Colours," must not be forgotten: neither can this notice of his works be closed without reference to the exquisite figures etched by him in certain plates by Henry Le Keux, in the Scotch work before cited. At the close of 1833, in speaking of his uninterrupted health, he observed that his sight was as strong as it had ever been, and that he only knew the tooth-ache and the head ache by name. In January, 1834, he experienced two slight indispositions from colds; from these he apparently recovered, and on Wednesday the thirteenth of February, he came to town from Barnes where he resided, and visited the British Institution, the Exhibition of Bonington's works, and in the evening attended the Graphic Conversation; in a fortnight he was no more, having sunk under a violent attack of brain fever. He was interred at Barnes, on the 6th of March, and was followed to the grave by a numerous train of friends anxious to pay the last sad tribute to departed worth.

28. At Cheshunt, Herts. aged 90, Mrs. Susan Cromwell, great-great-grand-daughter of the Protector Oliver Cromwell, and the last of that name. She was the younger daughter of Thomas Cromwell, esq. by his second wife Mary, daughter of Nicholas Skinner, esq. merchant of London; and aunt to the present Mrs. Cromwell Russell, the heiress of the Cromwells.

— At Brussels, aged 65, lady Charlotte Adelaide Constance Fitzgerald, aunt to the Marquess of Hastings, and sister to the late Countesses of Mountcashell, Ailesbury, and Granard. She

was the youngest daughter of John first earl of Moira, by lady Elizabeth Hastings, heiress of the earls of Huntingdon; and married April 10, 1814, Hamilton Fitz-Gerald, esq.

28. At Rathfarnham, in the house of her nephew sir William Smith, bart. baron of the Exchequer, where she had long resided, Mrs. Margaret Cusack.

Lately, After a lingering illness, aged 78, Andrew Berkeley Drummond of Charing Cross, banker, and of Cadland, Hampshire. Mr. Drummond was the eldest of the junior branches of the family of lord Strathallan, being the eldest son of the hon. Robert Drummond, (who died in 1804) sixth son of William the fourth viscount. Mr. Drummond married lady Mary Perceval third daughter of John second earl of Egmont.

— At Comb Hay House, near Bath, William Papwell Brigstock, esq. M.P. for the eastern division of Somersetshire, and a magistrate for that county.

— Suddenly, at Hampstead, Julian Hibbert, esq., who rendered himself notorious by the open avowal of his atheistical opinions at the Old Bailey sessions a short time ago, upon the trial of his friend Henry Bertbold, for stealing a boar.* His will has been proved in the Prerogative Court of Canterbury, and the personal effects sworn under 8,000*l.* by the executors, William Devonshire Saul, of Aldersgate-street, wine merchant, J. Brooks, of Oxford-street, bookseller, and R. Ewen, of Blackfriars road, coal merchant. Mr. Hibbert directs his body to be given to an anatomical school, and requests that no person may wear mourning for him, nor any ostentatious notice taken of his memory. He bequeaths 492*l.* to Messrs. Cunningham and Salmon, printers, being the sum in which Carlile was indebted to them, and in place of a legacy he intended to leave the latter. There are other legacies to Hetherington, Watson, and several publishers. He had bequeathed the sum of 500*l.* to the rev. Robert Taylor, but this he revoked by a codicil, in consequence, as he states, of Taylor having married a lady of large fortune. Hibbert never partook of animal food, but lived in a rigid and abstemious manner. He had some landed property, and the residue of his estates becomes the property of his sister.

* See vol. for 1833. Chron. p. 159.

DEATHS.—MARCH.

Lately. Near Bath, John Whitelock, esq. formerly a general officer in the British army, lieutenant-governor of Portsmouth garrison, and commander of the land forces in the unfortunate expedition to Rio Plata, in 1807, in consequence of the failure of which he was cashiered in the following year. His trial was published in a thick volume.

MARCH.

2. In Bedford-street, of pulmonary consumption, aged 36, Mr. L. T. Ventouillac, Professor of the French language and literature in King's College, London. His principal publications were a series of French Classics in twelve volumes 18mo; the French Librarian, in one volume octavo; Rudiments of the French Language; Morceaux d'Histoire, consisting of specimens of the best French Historians; French Poetry, with English notes; Livre de Classe, lately published; and a translation into French of Bishop Watson's Apology for the Bible.

3. The rev. William Paul, M.A. Professor of Natural Philosophy in the University of Aberdeen.

4. At an advanced age, Mr. James Biddles, long known as the rich money-lending shoe-contractor of Bishopsgate-street. This eccentric individual originally left Mountsorrel in Leicestershire, in company with one Joseph Taylor, a basket-maker, of Loughborough. Arriving in London, he got employment as a journeyman-shoemaker, but being an inferior workman, he did not long retain his situation. He then commenced cobbling shoes under a shop-window, near Finsbury-square, when, meeting with his wife (who is still living) and obtaining 400*l.* to commence the world with, he removed to near his late residence in Bishopsgate-street, where he opened a shop to sell shoes by retail. Finding, however, at the end of the first year, that he was losing money, he offered his stock of shoes as a contract to government, and thus commenced his career of money getting. It was by extreme frugality and attention to business, and by availing himself of the advantages of the markets, that he realized his wealth. He was a large proprietor in the East India Company, and a shareholder in the Chartered Gas Light Company, as well as in other companies.

His person was mean in the extreme, and his dress that of a labouring mechanic. At home, his annual expenses scarcely amounted to 50*l.*, whilst he advanced very considerable sums by way of loans to others. It is supposed that he has left money and property to the amount of more than 200,000*l.*, to be divided between sixteen of his relatives and their children.

7. From the rupture of a blood vessel, whilst hunting near Maryborough, sir Walter Dixon Borrowes, the seventh baronet of Giltown, county of Kildare.

8. At the Arsenal, Woolwich, in his 70th year, major-general sir George Bulteel Fisher, K.C.H., commandant of that Garrison.

— At Halifax, lieutenant-colonel James Fullarton, C.B. and K.H. lieutenant-colonel of the 96th foot.

10. At Haslar Hospital, Mr. Purcell, R.N. the last surviving officer of the Bounty, and one of those turned adrift in an open boat on the Pacific ocean, by the mutinous crew.

12. In his 80th year, Samuel Smith, esq. more than fifty years a member of the House of Commons, and next brother to lord Carrington.

— At Dean House, Isabella, daughter of the late John Swinton, esq. of Swinton.

13. In his 21st year, Mr. Henry James Hakewill, a young sculptor. He was the third son of James Hakewill, esq. and born at Grove-road, St. John's-wood, on the 11th of April, 1813. His early studies in drawing and modelling were made under Mr. Sass, and he was entered a student of the Royal Academy in June, 1830. In 1832, he exhibited a whole-length model of sir Richard Beaumont, in armour of the time of Richard the First; and shortly after completed the model of lady Beaumont, intended for the alms-houses at Cheshunt, of which they were the original founders. In 1833, Mr. H. exhibited at the Royal Academy a basso-relievo from lord Byron's *Mazeppa*, and busts of James Wadmore, esq. and of a Younger Brother. During the spring and summer of the same year, besides numerous sketches for future works, he modelled a bust, of the heroic size, of lord Brougham; taking the opportunity of his lordship's sittings in his court (to which he paid an almost daily visit) to complete the likeness; and during the same period occupied himself in forwarding a group for the competition for the gold medal.—

DEATHS.—MARCH.

Having determined his composition, and nearly completed his principal figures, he left town, to relax for a while from the constant exertion he had made, promising himself to continue his group with renewed vigour at his return. But on his return to town, the first symptoms of consumption appeared, and from the time of his attack, in the month of September, to the March following, he gradually sank, with perfect composure of mind.

13. In Bruton-street, in his 70th year, the right hon. Charles Philip Yorke, a Privy Councillor, one of the Tellers of the Exchequer, F.R.S. and S.A. &c. &c. half brother to the earl of Hardwicke; a vice-president of the Royal Society of Literature. Mr. Yorke was born March 12, 1764, and was the eldest son (the younger was the late Admiral sir Joseph Yorke) of the hon. Charles Yorke, who died shortly after being appointed lord chancellor of England. He was educated at Cambridge, and was called to the bar. At the general election of 1790, he was chosen for the county of Cambridge, and re-elected in 1796, 1802, 1806, and 1807. His talents, from very early years, raised great expectations, and his conduct in Parliament was much respected, from the manliness of his character, his integrity, and freedom from factious politics. In 1792, he moved the Address in answer to the King's Speech. In 1801, he accepted, under the Addington administration, the place of secretary of War, which he discharged with much industry and ability. In August, 1803, he was appointed secretary of State for the Home Department, which office he held until the following May. In the Parliament of 1812-1818, Mr. Yorke sat for the borough of Liskeard; and at the close of that period he retired from public life.

— At Henllan, aged 45, leaving a widow and several children, John Lewis, esq. barrister-at-law, and a magistrate for the counties of Carmarthen and Pembroke.

15. At Dublin, aged 73, the wife of capt. Bunn, and mother of the lessee of the two theatres.

17. In her 75th year, the widow of Isaac Morier, esq. many years consul-general at Constantinople.

— In Pall Mall, aged 95, Alexander Adair, esq. of Flixton Hall, Suffolk. His personal property has been sworn under 700,000*l*.

19. In Cavendish-square, aged 46,

the right hon. Maria, viscountess Duncannon. She survived the marriage of her second daughter to the earl of Kerry, only twenty-four hours.

20. At Paris, of influenza, aged 71, general William Knollys, governor of Limerick, formerly called earl of Banbury. In 1808, the general renewed the family claim to the earldom of Banbury, the consideration of which was continued in the House of Lords until March 9, 1813, when a committee of privileges resolved "that the petitioner had not made out his claim;" and on the 15th of the same month, it was (after agreeing in the report of the committee) further resolved by the whole House, "that the petitioner is not entitled to the title, dignity, and honour of earl of Banbury," thus affirming the illegitimacy of the ancestor, through whom he claimed. A very able protest, written by lord Erskine, was recorded by him, and subscribed by the dukes of Kent, Gloucester, and Sussex, earl Nelson, lord Ashburton, lord Ponsonby, the marquis of Hastings, lord Hood and lord Dundas. General Knollys married a daughter of Ebenezer Blackwell, of London, esq. and by that lady, who has been some years deceased, he had a son formerly called viscount Wallingford, and other children. After the decision of 1813, the titles of earl of Banbury and viscount Wallingford were discontinued both by the father and son.

22. At Cheltenham, aged 42, the very rev. sir Geo. Bisshopp, (eighth baronet) dean of Lismore, and chaplain to the Castle of Dublin.

24. At Colebrooke, county of Fermanagh, aged 63, sir Henry Brooke, bart.

— At Hadleigh, aged 94, Mrs. Ann Whishaw. She was in the full possession of her faculties till the last moment.

27. At Chelsea, Mary-Ann, wife of Peter Maxwell Hurst, esq. and granddaughter of George, first viscount Torrington

— At Modbury, aged 59, Miss Susanna Perring, sister to the late sir John Perring, bart.

— At Hampstead, Middlesex, aged 66, the right hon. George Stewart, sixth earl of Galloway (1623) and lord Garlies (1607) in the peerage of Scotland; second baron Stewart, of Garlies, in the stewartry of Kirkcudbright (1796), in the peerage of the United Kingdom; the fifth baronet (of Nova Scotia, 1637); K.T. and an admiral of the blue. His

DEATHS.—MARCH.

lordship was born March 24th, 1768, and was the eldest son of John, the seventh earl, and K.T. by his second wife, Anne, second daughter of sir James Dashwood, the second bart. of Kirklington Park, Oxfordshire. His lordship married, at London, April 18th, 1797, lady Jane Paget, second daughter of Henry, first earl of Uxbridge, and sister to the marquis of Anglesey.

29. At Taymouth Castle, Perthshire, after a short illness, aged 72, the most hon. John Campbell, marquess of Breadalbane and earl of Ormelie, a lieut.-gen. in the army, and F.R.S. The Marquess was not descended from any of the former peers of his family; but was fourth in descent from sir Robert, the third baronet. He succeeded his father in estate in 1772, and in 1782, shortly before he came of age, he succeeded as heir male to the titles and extensive landed property of his cousin John, earl of Breadalbane. In 1806, his lordship was created a peer of the United Kingdom, by the title of baron Breadalbane, of Taymouth; and he was raised to the rank of a marquess in 1831, together with the marquess of Ailsa. His lordship married, September 2nd, 1793, Mary Turner, eldest daughter and co-heir of David Gavin, of Langton, county of Berwick, esq. by lady Elizabeth Maitland, eldest surviving daughter of James, seventh earl of Lauderdale.

30. At his residence, in Gower-street, in his 73rd year, Francis Douce, esq. F.S.A. one of the most eminent antiquaries of his age. He was the son of Thomas Douce, esq. of the Six Clerks' Office. His taste for books, for antiquities, and his passion for music, were manifested at a very early age; his mother encouraged him in his studies; but his father repressed him, and when he was indulging his fondness for music, would cry out—"Don't let the boy spoil the piano." Francis Douce was first placed at a school at Richmond, with a master of the name of Lawton, who wrote an indifferent book about Egypt. Lawton was succeeded in his school by Gibbons, a canon of St. Paul's Cathedral; at this school he became proficient in Latin, and had made some progress in Greek, when he was suddenly removed to a French academy, with a view to his learning merchants' accounts. At this school he made no other acquirement than a little French. Mr. Douce held for some time a situation under his

father in the Six Clerks' Office; but not being able to reconcile himself to the routine of the business, he left it in disgust. He had some time before taken chambers in Gray's-inn, where he resided until his marriage in 1799, when he purchased a house in Gower-street. Though his means were slender, he was enabled, by economy to live in a genteel style, and to indulge his love for books, prints, and coins. Mr. Douce was, for some time, one of the Curators of the British Museum, as keeper of the manuscripts; but his independent spirit could not brook the interference of one of the trustees, and he resigned his situation. His father died in 1799, and he lost his mother at the close of the same year. He was in correspondence with most of the distinguished literary men of his time. His love of art had induced him to cultivate the acquaintance of artists of eminence. This led to his acquaintance with Mr. Nollekens, under whose will he afterwards took upwards of 60,000*l.*; which afforded him, facilities of indulging in the enrichment of his collections, and, what was more grateful to his feeling heart, the power of doing good. There are many living witnesses that this power was not bestowed in vain. For one who lived so entirely a literary life, Mr. Douce's published works may seem very few and very slender: they consist only of the *Illustrations of Shakspeare and Ancient Manners*, in 2 vols. 8vo; a *Dissertation upon the series of beautiful designs known by the title of the Dance of Death*, which embraces much curious information on the subject of early engraving, &c.; some interesting papers in the *Archæologia*; and many communications to the *Gentleman's Magazine*. His collections and common-place books upon the subject of the History of Arts, Manners, Customs, Superstitions, Fictions, Popular Sports, and Games of Ancient Times, will afford a rich mine to the antiquaries of a future age. His reading was immense; he lived in his library; and he read systematically and with the pen in his hand.

— At Finchley, aged 70, Rudolph Ackermann, esq. late of the Strand, book and printseller. Born at Stollberg, near Schneeberg, in the kingdom of Saxony, in 1764, and bred to the trade of a coach-builder, he came early in life to England, shortly before the French

DEATHS.—MARCH.

Revolution, and for some time pursued in London the occupation of a carriage draftsman, which led to an acquaintance with artists, and to his settlement in business as a printseller in the Strand. In the early part of his career, when the French Revolution had driven many clever and ingenious persons to this country, Mr. Ackermann, by the extensive encouragement which he gave to the manufacture of elegant fancy articles, raised that branch of business to an importance which it had never before attained. His speculative and enterprising disposition showed itself in various ways unconnected with his trade. To him the country is indebted for the original introduction of the lithographic art, to which he directed the public attention, not only by a translation of the work of Senefelder, its inventor, but also by the specimens which he produced from his own presses. As a publisher, his illustrated topographical works, especially the Histories of Westminster Abbey, the Universities of Oxford and Cambridge, and the Public Schools, are creditable to his enterprising spirit and his taste.

31: At Richmond, aged 62, Wm. Watson, esq. of Wisbeach, lieut.-col. of the Cambridgeshire local militia; deputy lieutenant and chief bailiff of the Isle of Ely.

Lost in the Lady Munro.—Captain Aiken, his wife, child, and brother; Mrs. Mountfort and Miss Hazlewood, from Madras; Mrs. captain Brown and four children, H.M. 57th regiment; captain and Mrs. Lardner, and three children, 5th Madras Infantry; captain and Mrs. James Knox, 6th Madras Cavalry; lieutenant and Mrs. Farmer and child, H.M. 39th regiment; lieut. Lloyd, H.M. 39th regiment; lieutenant Clarke and two boys, H.M. 42nd regiment: Mr. Lowne, Mrs. Monteith, and Mr. Fisher, of Sydney; nine European convicts, four European servants, nine native servants, and twenty-four Lascars—in all seventy-four souls.

Lately. At Montpellier, General O'Donnel, count d'Abisbal.

— At Liverpool, of pleurisy, aged 50, lieut. John Shipp, author of *Memoirs of his "Extraordinary Military Career,"* published in 1829. From his first entrance into the army, at Colchester, as a drummer, at the age of nine, he wore the king's uniform for thirty-two years; and received six

match-lock ball wounds, one on the forehead, two on the top of the head, and in the right arm, one through the forefinger of his left hand, and one in his right leg; besides a flesh wound in his left shoulder, and others of minor consequence. He was the author of at least two plays, one entitled "The Shepherdess of Arranville, or, Father and Daughter, a pathetic tale, in three acts," 1826; and the other, "The Maniac of the Pyrenees, or the Heroic Soldier's Wife, a melodrama, in two acts," 1829. These were printed at Brentford. In the spring of 1830, he was appointed an inspector of the new police; and, during the riots on lord mayor's day that year, he was knocked down, and severely hurt on the side. He was afterwards governor of the workhouse at Liverpool.

APRIL.

2. Lieut.-gen. Calcraft, half-brother to the late right hon. John Calcraft, M.P. for Dorsetshire.

— At the Grove, Exeter, aged 10 years, lady Jane Hope, youngest daughter of the late John, earl of Hopetoun.

3. At Bishopsteignton Lodge, Devonshire, aged 78, sir Edward Thornborough, G.C.B. admiral of the red, and vice-admiral of the United Kingdom.

4. Aged 76, John Martineau, esq. of Stamford Hill. He was a partner in Whitbread's brewery, and had been seen in the brewhouse in Chiswell-street, when some hours afterwards he was missed, and his body was found in a yeast-trough, into which it is supposed he fell in a fit; the yeast being only two feet in depth, although the trough itself was five or six.

— At Putney, aged 84, William Jones, esq. marshal of the King's Bench.

5. At Stafford, aged 56, lieutenant-colonel Brookes, E.I.C. brother to F. Brookes, esq. town clerk of Stafford. He was found sitting in his arm chair, in his night dress, an unloaded pistol in his right hand, which rested on the arm of the chair; two loaded pistols were on the table before him. It appeared that he had put the pistol into his mouth, which was shattered, and the ball had gone out at the top part of the back of his head. Behind him, on another chair, was his night-cap, which,

DEATHS.—APRIL.

being examined, was found to contain some hard substance, which proved to be the bullet and two pieces of his skull, the cap having been blown off his head by the force of the projectile.—Verdict, insanity.

5. At Matlock, Sarah Elizabeth, aged seven; on the 19th, Emma Maria, aged nine; on the 21st, Robert Spragging, aged three, and on the 1st of May, Cyrus Augustus Gordon, aged six, being four out of five of the children of Augustus Gordon, esq. formerly of 33rd regiment, and late of Everton, Notts.

— At Greenwich Hospital, aged 77, sir Richard Goodwin Keats, G.C.B. admiral of the white, governor of Greenwich Hospital, and a commissioner of the Board of Longitude.

— At Hereford, aged 36, Richard Bulmer, esq. mayor.

6. The rev. H. Arubdall, rector of Kilmondon, county Waterford. Whilst preaching on the text, "In the midst of life we are in death," one of the congregation was seized with an epileptic fit. This circumstance arrested the attention of all present, but of none more than the preacher, who fixed his eyes with remarkable earnestness upon his afflicted parishioner, and his countenance was observed to exhibit a reflection of every contortion that occurred in the features of the sufferer. It was soon found advisable to bring the service to a close. Upon leaving the church, the rev. gentleman, having been requested to sign some document concerning parish affairs, was surprised to find himself unable to write,—in fact, his right hand was paralysed. Expecting benefit from exercise, he did not proceed towards the glebe house, but had his gig driven in another direction, to the residence of his friend, T. Gamble, esq. of Cullinab. His disorder, however, gained ground, and was gradually aggravated into an universal paralysis.

7. At Ness Strange, aged 25, John Edwards, esq. of the Middle Temple, eldest son of John Edwards, esq. of Ness Strange.

— At Beckenham, Kent, aged 89, the widow of colonel Gordon, and aunt to lord Poltimore.

8. At Versailles, sir Jonah Barrington, LL.D. & K.C.

10. In Grosvenor-square, at the house of sir William Alexander, aged 38, lieutenant-colonel the hon. Seymour

Thomas Bathurst, 3rd son of Earl Bathurst.

10. At his villa near Florence, the right hon. Robert Lowley, baron Wenlock, of Wenlock, county Salop (1831); and sixth baronet, of Spoonhill, in that county (1641).

— At Dublin, Mrs. Crampton, the lady of the surgeon-general and daughter of late major Canning, of Athlone. She was reading in bed, when the curtain and bed-clothes took fire, and, before any assistance could reach her, she was so dreadfully burned, that a few hours terminated her sufferings.

11. In Devonshire-place, aged 77, John Fuller, esq. of Rose Hill, Sussex, formerly M.P. for that county. Mr. Fuller was distinguished through life by much eccentricity. The favorite object of his liberality was the Royal Institution, where he first founded a Professorship of Electricity, in the year 1808., and subsequently, a few weeks before his death, a Professorship of Comparative Anatomy and Physiology. He also gave the Institution the sum of 3,000*l.* to accumulate in the funds; making the sum total of his benefactions amount to 10,000*l.*

— At Knightsbridge, aged 70, major-general sir John Frederick Sigismund Smith, K.C.H. commandant of the third battalion of royal artillery.

12. At Hertford house, Manchester-square, the most hon. Isabella-Anne-Ingram, Dowager Marchioness of Hertford.

— At Pentonville, N. G. Duhal, esq. a native of Nantes. His mother was remarkable for her attachment to the French royalist cause, and her husband in the Vendean war; for which she was honoured at the restoration by the ribbon of the order of St. Louis. Driven to America by the events in France, he was for a period of about twenty-five years an able teacher of the French language in America and in this country; his system being distinguished for its simplicity, perfection, and application to large classes. He was the author of "Nature Displayed in her mode of teaching language to Man," the "French-English Dictionary," and other useful and philosophical works applicable to the purposes of instruction.

14. At Kensington, aged 68, major-general sir William Douglas, K.C.H. of Timpendean, Roxburghshire.

15. Aged 85, the right rev. James Vassallo, lord Bishop of Killala. In

DEATHS.—APRIL.

accordance with the Church Temporalities Act, the diocese of Killala merges in the Archbishopric of Tuam.

16. Captain Wynne Baird, R. N.

17. In Cornwall-terrace, Regent's Park, aged 69, rear-admiral Lucius Ferdinand Hardyman, C.B.

18. In Arlington-street, aged 65, the right hon. Harriot lady Dundas.

19. At Mahableshwar, slain while hunting, by the horns of a wounded gyal, lieutenant W. Buckley Hinde, 4th light dragoons, eldest son of the late W. Hinde, esq. of Lancaster.

20. At Montacute house, Somersetshire, after a few days illness, aged 51, John Phelps, esq., an acting magistrate for the counties of Somerset and Dorset.

21. Thomas Myers, esq. LL.D. of the Royal Military Academy, Woolwich, and of Lee-terrace, Blackheath. He was the author of a *Compendious System of Modern Geography*, 1812; *A Statistical Chart of Europe*, 1813, and an *Essay on improving the condition of the Poor*, 1814.

— At Argyll house, aged 15, lady Frances Gordon, daughter of the earl of Aberdeen.

— At his residence, Palestine house, near Plymouth, aged 80, Samuel Brookings, esq. a superannuated rear-admiral.

22. Aged 27, Mr. William Frome Smallwood. This rising young artist was known comparatively to few. He was borne at Peasemarsh, in Surrey, on the 24th of June, 1806. His father was the proprietor of, and for many years resided in, the Grand Hotel, Covent Garden. He was brought up under Mr. Cottingham as an architect, but never followed that profession, preferring that of an artist. He was known, however, as an architectural draughtsman only, and more than thirty subjects engraved in the Penny Magazine were taken from his drawings. He also occasionally exhibited his sketches at Somerset House, and in the Suffolk-street Exhibition.

23. At Coombe rectory, Oxfordshire, aged 85, the rev. Edward Tatham, D.D. rector of Lincoln College, Oxford, rector of Whitechurch, Salop, and perpetual curate of Twyford, Berks. Dr. Tatham was a native of Cumberland, and was originally of Queen's college, where he took his degree of M.A. in 1776. He was afterwards elected fellow of Lincoln, and proceeded B.D. 1783, D.D. 1787.

In 1778 he published, in 8vo, an *"Essay on Journal Poetry;"* and in 1780, *"Twelve Discourses, introductory to the study of Divinity."* In 1789, he preached the Hampton Lecture, and his discourses delivered on that occasion, were published under the title of *"The Chart and Scale of Truth,"* in two volumes, the first of which appeared in 1790, the second not until 1792. In 1791, he published *"Letters to Edmund Burke, on Politics,"* 8vo; and in 1792, *"a Sermon preached before the University,"* Nov. 5, the anniversary of the Revolution of 1688. In the year 1792, he was elected rector of Lincoln College, with the annexed living of Twyford. In 1793, he published a *"Sermon suitable to the Times,"* which he had then recently preached four times; and in 1797, he published *"Letters to Mr. Pitt, on the National Debt and a National Bank;"* in 1807, *"An Address to the Members of Convocation, on the proposed new statute respecting Public Examinations;"* in 1811, *"An Address to Lord Grenville on Abuses in the University;"* in 1813, *"Oxonia Purgata, consisting of a series of addresses on the subject of the new discipline in the University of Oxford;"* in 18—, *"Oxonia Ornata,"* treating of the architectural improvements of Oxford, and in 1816, a pamphlet containing *"Observations on the Scarcity of Money, and its effects upon the Public."* He was presented in 1829, to the rectory of Whitechurch in Shropshire, a living in the patronage of the trustees of the Bridgewater estate, it having been held until that time, for nearly fifty years, by the late earl, the prebendary of Durham.

— Aged 70, Michael Pierrepont, esq. of Ryhall, late lieutenant-colonel commandant of the Rutland Militia.

27. In Newman-street, where he had resided for more than forty years, aged 78, Thomas Stothard, esq. R.A. Librarian to the Royal Academy. This distinguished artist was born on the 17th of August, 1755, in Long Acre, in a house then and now known by the name of the Black Horse, of which his father was the landlord. The painter was an only child, and, being sickly, was nursed at Dulwich, where he passed several years of his childhood. At five years of age, upon his father's death, he was removed to his father's relations in Yorkshire, and shortly after placed under the care of a Scotch lady at Acomb, near York, where

DEATHS.—APRIL.

he acquired, at that early age, a taste for drawing, in copying Houbraken's heads and other prints. When eight years old he was placed at school at Stretton, near Tadcaster, the birth-place of his father; and there he remained until he was of age to be bound apprentice, when he returned to London. His master was a pattern-drawer for brocaded silks; but during Stothard's apprenticeship, that fashion so completely declined, that, his master having died, the widow gave up to him the last year of his apprenticeship. In this art, however, he had minutely studied nature, in the drawing of flowers and other ornaments; and, having taken every opportunity of improving that knowledge by little trips into the country, both by land and water, he struck out for himself a more dignified profession, and got into business by designing plates for the "Town and Country Magazine," published by Harrison, in Paternoster-row. Shortly after, he became more known by the exquisite little designs he made for Bell's British Poets, and the "Novelist's Magazine," some of which procured for him the friendship of Flaxman. Afterwards he was engaged for almost every work requiring pictorial designs. His first style was formed on the model of Mortimer, some of his paintings being scarcely distinguishable from those of that artist. He studied with great diligence at the Royal Academy, and the first picture he exhibited was Ajax defending the body of Patroclus. He was elected an Associate of the Academy in 1785, and a Royal Academician in 1794. In 1810, he was appointed Deputy Librarian to Mr. Birch: and on his death in 1812, succeeded as librarian. It is supposed that this veteran artist has made upwards of five thousand designs, three thousands of which have been engraved. From his earliest designs, about the year 1778, for "Bell's Poets" and the "Novelist's Magazine," to his latest productions in the spring of 1833, for the embellished works of Mr. Rogers, his humour, his feminine grace and beauty, his just conception of character, must be felt by all who can appreciate the loftier efforts of art. Among Mr. Stothard's more important works, may be enumerated his designs for Boydell's Shakespeare, his Canterbury Pilgrims, his Ceremony of the Flich of Bacon at Dunmow, and his Wellington Shield, the last of which he had the en-

terprise and perseverance to etch with his own hand. His largest work was painting the staircase at Burleigh, the seat of the marquis of Exeter, where the figures are seven feet in height, in fresco; he also designed the ceiling of the Advocates Library at Edinburgh. The chasers in silver and other metals, particularly Messrs. Rundle and Bridge, were continually indebted to Mr. Stothard's creative art.

27. At Tavistock, Susan-Hyde, only daughter of the late Nathaniel Beckford, esq. president of the council of Jamaica

28. In Dartmouth-street, capt. Norman Lamont, esq. M.P. for Wells. He was the youngest son of the late John Lamont, esq. of that ilk in the county of Argyll.

— At his residence in Exmouth-street, Spa-fields, aged 71, John Caley, esq. of Gray's Inn, keeper of the Records in the Augmentation Office and Chapter House, Westminster, F.R.S. and F.S.A. Mr. Caley was, at an early period of life, introduced to a lucrative profession by the patronage of the celebrated antiquary Mr. Astle, whose favour he procured, it is said, by the present of a curious manuscript, picked up at the stall of an obscure bookseller. Through him he obtained employment in the Record Office in the Tower. In 1787 he was appointed keeper of the Records in the Augmentation Office, in the room of H. Boker, esq. deceased; and in 1818, on the death of the late right hon. George Rose, he was appointed keeper of the Records in the antient Treasury at Westminster, formerly the Chapter House of the Abbey. He was elected a Fellow of the Society of Antiquaries, in March, 1786; and in his early life he made the following communications to that learned body: In 1787, a memoir on the origin of the Jews in England, printed in the *Archæologia*, an extract from a M.S. in the Augmentation Office, relative to a Wardrobe Account of King Henry VIII.: a valuation of the shrine called Corpus Christi Altar, at York: and, a Survey of the Manor of Wimbledon, Surrey, taken by the Parliament's Commissioners in 1649. On the nomination of a national Record Commission in 1801, Mr. Caley was appointed secretary; and he continued to occupy that office until the dissolution of the late Commission in 1831. He also became a joint editor in 1811, with fourteen of the Works undertaken by

DEATHS.—MAY.

the Commissioners. At the close of 1813, Mr. Caley engaged to assist in editing the new edition of Dugdale's *Monasticon*, in conjunction with Dr. Bandinel and sir Henry Ellis. His library and collections were sold by Mr. Evans during nine days of the month of July. The Collection of Reports and Searches made by Mr. Caley, as a legal antiquary, during fifty years, bound in seventy-eight volumes, with one of Index, and three in boards, was sold for 400*l*. Twenty-five volumes of MS. indexes to and extracts from Records in the Augmentation Office, were sold for 225*l*. A collection of drawings of the Monastic Seals of England, Scotland, Wales, and some of Normandy, about fifteen hundred in number, and bound in eight volumes, was sold for 290*l*.

29. In Montague-square, aged 35, Henry Wodehouse, esq. eldest son of the hon. John Wodehouse.

30. At Paris, aged 26, lady Catherine Caroline Montagu, sister to the earl of Sandwich.

Lately. Aged 97, a few months after his wife, to whom he had been married 75 years, Mr. David Phillips, of Carmarthenshire, leaving behind him 6 children, 53, grand-children, 152 great-grand-children, and 11 great-great-grand-children.

— At Reading, Mr. Francis Peter Cowslade, for a considerable period editor and joint proprietor of the "*Reading Mercury*." He was a grandson of the poet, Christopher Smart.

— At the seat of W. Hanbury, esq. Shobdon Court, Herefordshire, aged 59, the hon. and rev. Anchtel Grey, brother to the earl of Stamford and Warrington. He was the youngest son of George-Harry, the fifth earl, by lady Henrietta Cavendish Bentinck, daughter of William second duke of Portland. He was of Trinity College, Cambridge, B. A. 1797; and was formerly a prebendary of Durham. Mr. Grey, by his will, has directed that 200*l*. should be given to each of fourteen charitable institutions.

— At Venice, sir William Taylor Money, consul-general of the Lombard States. He was a friend of Mr. Canning, and universally respected by the foreigners among whom he resided.

— The rev. Samuel Madden, sen. of Kilkenny. While administering medicine to a favourite poney, he caught the disease (glanders), which in a short time proved fatal.

MAY.

1. Aged 81, George Cumming, esq. formerly M.P. for Fortrose, &c.; uncle to sir William Cumming-Gordon, bart.

— Georgiana, eldest daughter of sir George Wombwell, bart.

3. At Edenhall, Cumberland, aged 36, the rev. sir Christopher John Musgrave, the ninth baronet of that place, rector of Crundall, Kent.

— At East Lodge, Enfield, aged 93, the hon. William Fullerton Elphinstone, a director of the East-India Company, and a commissioner for the lieutenancy of London; great-uncle of Lord Elphinstone, and elder brother of admiral lord viscount Keith, C. B.

7. At Cheverells, Herts; in her 70th year, the hon. Louisa Sneyd, widow of Walter Sneyd, esq.

— At Valleyfield, county of Perth, aged 94, sir Robert Preston, the sixth baronet of that place, and an elder brother of the Trinity House.

8. At Madeira, whither he had gone for the recovery of his health, the rev. William Mills, B.D. fellow of Magdalen College, Oxford, and late Professor of moral philosophy in that University.

9. At Finchley, after repeated attacks of paralysis, aged 36, the hon. John Law, brother to Lord Ellenborough.

11. At his cottage, Arderry, county of Waterford, aged 92, Robert Thomas Carew, esq. of Ballinamona, in that county.

— At Gaerloch, Rosshire, aged 23, after the birth of a son, Kythe Caroline, wife of sir Francis Mackenzie, bart. and eldest daughter of John Smith Wright, esq.; and on the same day, her infant son.

15. Lieutenant - colonel Molyneux Marston, half-pay 37th foot.

17. At the palace of Lacken, aged ten months, Leopold Louis Philippe Victor Ernest, prince royal of the Belgians. His body was interred on the 24th, in the church of St. Gudule, Brussels.

18. In Sackville-street, Dublin, aged about 65, Thomas Bernard, esq. of Castle Bernard King's County, colonel of the King's County militia, and formerly M.P. for that county; brother-in-law to the earl of Donoughmore, and lord Dunalley.

Q

DEATHS.—JUNE.

sixth baronet (1611); recorder of Falmouth.

Lately. The rev. Alexander Murray, D.D. professor of oriental languages in the University of Edinburgh. Born in obscurity, amidst the bleak mountains of Galloway, Murray rose above all the difficulties of his birth and education; and at an early age he had made great attainments, not only in his own language, but in the dead languages, the knowledge of many of which he had acquired before he went to school. While prosecuting his studies at Edinburgh, he was selected by Mr. Constable to arrange the papers of Bruce the traveller; and before he could begin, he had to acquire a knowledge of various languages and their dialects, which he did with wonderful facility. When a communication came to this country from the court of Abyssinia, the academies of the south failed to give it an interpretation, and they were under the necessity of applying for a translation to the humble minister of Urr. This led to his appointment to the chair of oriental languages in Edinburgh, a situation from which he was soon removed by death.

JUNE.

1. On the French coast, near Boulogne, after a few days illness, aged nearly 45, Thomas Barrett Brydges Barrett, esq. of Lee Priory, near Canterbury, late captain and lieutenant-colonel of H. M. regiment of Grenadier Guards. He was born June 20, 1789, and was the eldest son of sir Samuel Egerton Brydges, bart. and Elizabeth, sole daughter and heiress of the rev. Dejovas Byrche, by Elizabeth, only sister of the late Thomas Barrett, esq. of Lee Priory. He succeeded to the estates and name of his maternal great-uncle Thomas Barrett, esq. in January 1803, when a minor at Harrow School. He entered the army as an ensign in the grenadier guards in 1807.

3. By the overturning of a Brighton coach in Southwark, aged 52, sir William Richard Cosway, a director of the Crown Life Assurance Company. (*see Chronicle*, page 76.) He was the son of a baker at Devonport. His first employment was in the victualling-office in the Dock-yard, whence he entered the navy, in which he filled the situa-

tions of captain's secretary, purser, &c., and eventually became secretary to the late lord Collingwood, with whom he was present at the battle of Trafalgar.

4. Aged 76, Robert Bowyer, esq. of Byfleet Lodge, and late of Pall Mall, portrait painter in water colours to his majesty. He was the publisher of the embellished History of England, which bears his name, and of various splendid popular works.

— At Southampton, aged 88, lady Bligh, relict of rear-admiral Bligh.

5. At his seat, Uddens House, Dorsetshire, after a short illness, aged 45, sir James John Fraser, the third baronet of Leadclune, county of Inverness (1806), a lieut.-col. in the army (1826).

6. At Letherhead, Surrey, aged 71, the rev. James Dallaway, M.A. and B. Med., vicar of that parish, and of Slynfold, Sussex; secretary to the earl marshal, and F.S.A. When he left the University, having taken his degree of M.A. December 3rd, 1784, he went to serve a curacy in the neighbourhood of Stroud. At a subsequent period he resided in Gloucester; and about the years 1785 to 1796 he was employed as the editor of Bigland's Collections for Gloucestershire. His first publication was "Letters of the late Dr. Rundle, Bishop of Derry, to Mrs. Sandys, with introductory Memoirs," 2 vols. 8vo. 1789. In the same year he was elected a fellow of the Society of Antiquaries; and in 1792 he published, in 4to. "Inquiries into the Origin and Progress of Heraldry in England, with observations on Armorial Ensigns." dedicated to the duke of Norfolk. Through the duke's introduction he was appointed chaplain and physician to the British embassy at the Porte, where Mr. Liston was then ambassador. After his return he published, under the auspices of the marquess of Bute, "Constantinople, ancient and modern, with excursions to the shores and islands of the Archipelago, and to the Troad," 1797, 4to. He, at the same time, announced that he had in contemplation to publish "the History of the Ottoman Empire, from the taking of Constantinople by Mohammed II. in 1452, to the death of the Sultan Abdulhamid in 1788, as a continuation of Gibbon;" but this he did not accomplish. In 1802 he communicated to the Society of Antiquaries an account of the Walls of Constantinople; which

DEATHS.—JUNE.

is printed with four plates, in the *Archæologia*, vol. xiv. pp. 231-243. In 1792 he wrote the introduction to Naylor's Collection of Coats of Arms borne by the nobility and gentry of the county of Gloucester. On the 1st of January, 1797, Mr. Dallaway was appointed secretary to the earl marshal. On the death of his patron, in 1815, he was re-appointed to the office by lord Henry Howard, who, in 1816, was nominated deputy earl marshal; and, upon his lordship's death, in 1824, a bill having passed to enable the present duke of Norfolk to execute the functions of his office in person, Mr. Dallaway was a third time appointed secretary. In 1800 he published, in 8vo., "Anecdotes of the Arts in England, or comparative remarks on Architecture, Sculpture, and Painting, chiefly illustrated by specimens at Oxford." In 1803 he edited, in five vols. 8vo., "The Letters and other Works of lady Mary Wortley Montague, from her original MSS. with Memoirs of her Life." In 1806, "Observations on English Architecture, military, ecclesiastical, and civil, compared with similar buildings on the Continent, including a critical itinerary of Oxford and Cambridge, &c., and historical notices of stained glass, ornamental gardening, &c." 8vo.; and, in 1816, a work entitled, "Of Statuary and Sculpture among the Ancients, with some account of specimens preserved in England," 8vo.; all but a small portion of which perished in the fire at Mr. Bensley's printing-office. Previously to this time, in the year 1811, Mr. Dallaway had been engaged, by the late duke of Norfolk, to edit, at his grace's expense, the History of the three Western Rapes of Sussex, for which very ample collections had been made by sir William Burrell, and deposited in the British Museum. The first volume, containing the Rape and City of Chichester, was published in 1815; the first part of the second volume, containing the Rape of Arundel, appeared in 1819; the Rape of Bramber he relinquished to the late rev. Edmund Cartwright, F.S.A. who published it in 1830. In 1821 Mr. Dallaway privately printed, as an accompaniment to thirteen etchings, by Mrs. Dallaway, two letters descriptive of the vicar's garden, at Letherhead, addressed to his friend, R. Duppa, esq. being a very lively and animated description of a beautiful spot. In 1823 he communicated to the Society of Antiquaries,

"Observations on the first Common Seal used by the Burgesses of Bristol," printed (with a plate) in the *Archæologia*, vol. xxi. pp. 79-87. In 1824 he published, in 4to. "William Wyreestre Redivivus. Notices of Ancient Church Architecture in the Fifteenth Century, particularly in Bristol, with hints for Practical Restorations." An article from his pen, entitled "Bristol in the 15th century," appeared in the *Retrospective Review*, new series, vol. ii. in 1828; and these several papers have been recently reprinted at Bristol under the title of "Antiquities of Bristol in the Middle Centuries, including the topography by William Wyreestre, and the life of William Canynge." This last was an essay by Mr. Dallaway, read at the Bristol institution in April, 1831. In 1826 Mr. Dallaway superintended for Mr. Major the bookseller, a finely embellished edition of Walpole's *Anecdotes of Painting*, which includes Vertue's *Memoirs of the English Painters and Engravers*. This work and the *History of Sussex* abound with marks of haste, carelessness, and inaccuracy. His last work was an extended and revised edition of the work of 1806 on "Architecture in England," published early in the present year.

6. In London, aged 57, Mr. Ralph Rylance, who spent almost the whole of his laborious life in the service of Messrs. Longman and co. the booksellers. He was the author and translator of a multitudinous list of books, to not one of which was his own name affixed.

7. At Winchester, lady Caroline Knollys, eldest sister of the late earl of Banbury.

— In his 75th year, Richard Wilson, esq. many years an eminent solicitor in Lincoln's-inn-fields, and formerly secretary to lord Eldon.

8. In Privy Gardens, Catherine Gertrude, widow of the hon. Frederick Robinson, uncle to the earls of Morley, de Grey, and Rippon.

— At Jamaica, aged 148 years, Catherine Awner, a free black female, and a native of that island. She could work without the aid of glasses; and was as upright in stature as when young. She arrived in Port Royal Harbour, from the parish of Sere, two weeks after the great earthquake, being then six years old.

9. Aged 83, the widow of the rev. Reginald Heber, of Hodnet Hall, Shrop-

DEATHS.—JUNE.

shire, and mother of the late bishop of Calcutta.

10. By a carriage going over him, immediately upon falling from his horse, J. C. Powell, esq. eldest son of S. Powell, esq. of Upper Harley-street, and Brandlesome Hall, Lancashire.

— At Angers, in France, aged 67, the hon. Abraham Augustus Hely-Hutchinson, last surviving brother to the earl of Donoughmore.

12. At Starston Rectory, Norfolk, aged 27, captain Edward Cerjat Spencer, of the 88th regiment, youngest son of the late lieut.-general Spencer, of Bramley Grange, Yorkshire.

15. At Dover, Samuel Powell, esq. of Upper Harley-street, and of Brandlesome Hall, Lancashire. This unhappy gentleman shot himself, in consequence, as it has been supposed, of hearing of the death of his son, at Ascot on the 10th of June. He had the affliction of losing all his sons, five in number, in the course of one year.

— At Carlow, the right rev. James Doyle, D.D. Roman Catholic bishop of Kildare and Leighlin. This polemical divine was educated in the University of Coimbra, in Portugal, whence he was transferred to the professorship of theology in the College of Carlow, and, in the year 1819, was appointed bishop of the Catholic diocese of Kildare and Leighlin, being then the youngest man who had ever obtained a similar rank in the Irish Catholic Church. At that period religious controversy prevailed in Ireland; and Dr. Doyle came to the assistance of his co-religionists with a zeal and devotion which nothing could tire. For some years he merely signed the letters J. K. L. (James Kildare and Leighlin) to his productions; and it was under this signature that he first attacked the late archbishop of Dublin (Dr. Magee) on the subject of that prelate's celebrated visitation sermon about twelve years ago. In that sermon his grace warned the clergy to keep a watchful eye on two enemies who threatened to undermine the Established Church: these enemies he designated as "A church without religion, and a religion without a church." This anti-thesis brought down a host of assailants, both Roman Catholics and Dissenters, on the archbishop's head; but among them all none shone so conspicuously as J. K. L. He was a strong advocate for

the introduction of a well-regulated system of poor-laws into Ireland, and succeeded in bringing over Mr. O'Connell to his opinions; but that gentleman having subsequently changed his mind on the subject, Dr. Doyle addressed to him a most severe and sarcastic letter. It was in answer to this letter that Mr. O'Connell denounced consistency as a "rascally doctrine." This prelate was the first to promulgate in this country the Hohenloe miracles, in the reality of which he appears to have placed implicit belief. A large cathedral was built at Carlow under the auspices, and by the exertions, of Dr. Doyle. For many years he laboured to collect funds and contributions for this magnificent object of his ambition, which he lived to see completed. He lies buried in its aisle. No ecclesiastical structure of equal splendour and extent has been raised in Ireland within the present century. Near the town is Braganza House, a handsome residence, which the public bought for Dr. Doyle and his successors in the see of Leighlin. It was built by sir Dudley St. Leger Hill, now the governor of St. Lucie, who is a native of Carlow. Dr. Doyle furnished the house at his own expense, and, at his death, bequeathed the furniture, books, and every thing else of value which it contained, to his successor.

— At Acton Park, Denbighshire, in his 80th year, sir Foster Cunliffe, the third baronet (1759), and F.S.A.

16. Robert Jones, esq. of Fommon Castle, Glamorganshire, sheriff of that county, 1801.

17. Drowned in the Serpentine, lieut. Sydney Parry. He was walking with lieut. Brooke, a brother officer, along the west bank of the Serpentine-river, when they were observed to separate, the latter gentleman going round to the opposite side. Lieut. Parry then sprang into the river with his clothes on, and swam manfully into the middle of the stream, but then turned round, the wind and stream being unfavourable for him to proceed to the opposite bank. When about twenty yards from the bank, he became quite exhausted, and called out,—“A boat, a boat, I cannot get in.” He then sank, and never rose more.

18. Suddenly, at the George Inn, Southampton, in consequence of having taken an excessive dose of opium, aged

DEATHS.—JUNE.

67, Thomas Manby, esq. rear-admiral of the white

21. At Stoke Park, Bucks, aged 75, John Penn, esq. LL.D. formerly proprietary and hereditary governor of the province of Pennsylvania, in North America. He was the eldest surviving son of the hon. Thomas Penn, esq. (son of the celebrated founder of Pennsylvania) by lady Juliana Fermor, fourth daughter of Thomas first earl of Pomfret. Mr. Penn published a tragedy, entitled "The Battle of Edington, or British Liberty," 1796; "Critical, Poetical, and Dramatic Works," in 2 vols. 8vo. 1798; "A timely Appeal to the Common sense of the people of Great Britain in general, and of the inhabitants of Buckinghamshire in particular, on the present state of affairs," 1798; and in 1800 "Further Thoughts," a continuation of the same. At the general election of 1802 he entered the House of Commons as one of the Members for Helston. In 1802 he printed two volumes of "Poems, consisting of original Works, Imitations, and Translations;" and in 1811, two volumes of "Poems, being mostly reprints."

— Aged 64, sir Daniel Bayley, for upwards of 20 years consul-general in Russia, and agent to the Russia Company at St. Petersburg.

— At Rome, aged 48, the right hon. Everard Arundell, tenth lord Arundell, of Wardour (1605), a count of the Holy Roman Empire (1595), and F.S.A.; brother-in-law to the duke of Buckingham. His lordship was born in Clifford-street London, November 3, 1785, and was the eldest son of James Everard ninth lord Arundell, by his first wife and first-cousin the hon. Mary Christiana Arundell, eldest daughter of Henry the eighth lord, and sister to the present dowager lady Clifford, of Chudleigh. He succeeded his father in the titles July 14, 1817, and took his seat in the House of Lords in 1829, on the passing of the Roman Catholic Relief Act. The name of lord Arundell was in 1829 associated with that of sir R. C. Hoare in the title-page of the hundred of Dunworth, a part of the History of Modern Wiltshire. He is succeeded in his titles by his next brother Henry Benedict, who has a son and heir, born in 1831, by his present wife Francis Catherine, second daughter of sir Henry Tichborne, bart.

22. At Prince Edward's Island, John Stewart, esq. late deputy paymaster-

general to his Majesty's forces, and marshal of the Court of Vice-Admiralty, in Newfoundland, and for many years speaker of the House of Assembly, and receiver-general in the former island. This gentleman was the legal claimant to the ancient title of the earls of Orkney.

23. At Bath, aged 68, Elizabeth, widow of sir William Fraser, bart.

24. At Cheltenham, aged 27, John Aldiss Roper, esq. who formerly lived in the most abject poverty, but in consequence of the death of an uncle residing in India, came into possession of 400,000*l*.

26. Mr. May, editor of the *Journal des Chevaux et Chasses*, shot dead in a duel at Meudon.

27. In Sackville-street, in his 85th year, sir Gilbert Blane, bart. M.D. physician in ordinary to the king, F.R.S.L. and E. &c. Sir Gilbert was born at Blane-field, county of Ayr, August 29th (O.S.), 1749. He commenced life as a navy surgeon, and was present at the engagement between the English and French fleets in the West Indies, on the 12th of April, 1782, of which he wrote an account. He shortly after published a valuable work entitled "Observations on the diseases incident to Seamen." He rose gradually in his profession, until he attained the rank of physician to the fleet, and was honoured with the acquaintance and friendship of his present Majesty. In 1788 he was selected to deliver the Croonian lecture, on muscular motion, before the Royal Society, which lecture was published in 1790. There is, also, in their transactions, vol. 80, an account by him of the *Nardus Indica*, or spikenard; in which paper he attempted to collect what was known by the ancients respecting this odoriferous herb. His ideas respecting medical education, and certain topics connected with it, he gave to the world in 1819, under the title of "Medical Logic," a work which went through more than one edition. In 1822, he published "Select Dissertations on several subjects of Medical Science;" most of which had before appeared as separate papers in some of the medical periodical publications. In 1831, there appeared his "Warning to the British public against the alarming approach of the Indian Cholera." Sir Gilbert was for some time physician to St. Thomas's Hospital; and having been appointed successively physician to the household, and one of the physicians in ordinary to his late majesty, was

DEATHS.—JULY.

created a baronet by patent, dated Dec. 26th, 1812. In November, 1829, with the sanction of the lords of the Admiralty, he founded a prize medal for the best journal kept by the surgeons of his majesty's navy. The medal is awarded every second year, the commissioners selecting four journals,—sir Gilbert during his life, and thenceforth the president of the College of Physicians, and the president of the College of Surgeons, deciding which of such four is best entitled to this honorary distinction.

27. At Paris, the viscountess de la Rochefoucauld, daughter of the late duke Mathieu de Montmorency.

30. In Park-lane, aged 56, the right hon. Anne-Catherine Macdonnell, countess of Antrim, and viscountess Dunluce, in the peerage of Ireland; mother of the marchioness of Londonderry, and half-sister to viscount Dungannon.

31. At his residence, South-hill, near Liverpool, aged 71, Robert Murray, esq. admiral of the white.

Lately. At Paston, William Puly, aged 98; he was twice married and had thirty children, the eldest of which survives him, and is in her 80th year.

— At Birchgrove, county of Wexford, aged 74, Alexander Wilson, esq. a retired rear-admiral.

JULY.

2. In the King's Bench prison, aged 64, capt. Marcus Samuel Hill, R.N.

3. At Gringle Park, Durham, aged 74, Robert Whirton Myddleton, esq., of Old Park.

4. In Harley-street, aged 35, John St. Long, esq. the quack practitioner in cases of consumption, &c. He was originally a portrait painter. His own death ensued from the rupture of a blood vessel, from which he had suffered for about two years. His secret, it is said, has been sold by his executors for the sum of 10,000*l*.

6. At Craven-hill, Bayswater, aged 68, major-general Robert Pilkington, inspector-general of fortifications, and colonel-commandant of the corps of royal engineers.

— In Upper Brook-street, aged 63, Maria, widow of the hon. Augustus Phipps, aunt to lord Rendlesham.

7. In London, aged 73, lieut-general sir William Aylett, K.M.T.

11. At Ham House, Aged 54, lady Laura Tolemache, only surviving daugh-

ter of the Countess of Dynart and the late J. Manners, esq., eldest son of lord W. Manners. She was married June 3, 1808, to J. W. H. Dalrymple, esq. now earl of Stair; but the marriage was declared void in the following year, in consequence of a previous Scottish contract of the gentleman with another lady.

13. At the residence of her son-in-law, capt. E. C. Fletcher, in Sussex-place, the right hon. Charlotte lady Teignmouth, widow of John first lord Teignmouth.

15. In Eaton-place, Pimlico, general Christopher Chowne, colonel of the 76th foot.

— In Cambridge-terrace, having attained her 100th year, Mary, widow of the hon. Francis Roper, of Linstead Lodge, Kent, and mother of the present lord Teynham.

— At East Sutton, Kent, aged 74, the reverend sir John Filmer, B.D. the seventh baronet of that place.

16 At his house at Whitehall, aged 76, the right hon. Michael Angelo Taylor, M.P. for Sudbury, a barrister at law, and recorder of Poole. Mr. Taylor was the son and heir of sir Robert Taylor, architect to the Bank of England and other public offices, who was sheriff of London and Middlesex in 1783, and during his shrievalty received the honour of knighthood. He died in 1788, leaving a fortune of 180,000*l*. entirely of his own creation.

18. At Budleigh Salterton, aged 58, Edward Kingston Foley, esq., lieutenant-commander, R.N., and nephew to the late admiral sir Thomas Foley.

21. In Cumberland terrace, Regent's Park, of cholera, aged 44, Olivia, Marchioness of Headfort. This beautiful and accomplished lady was the elder daughter of the late sir John Stevenson: she was married first to Edward Tuite Dalton, esq., a gentleman of considerable literary talents; and secondly, Jan. 1822, to the present Marquess of Headfort, by whom she has left nine children.

22. In his 82d year, Patrick Heatly, esq., of Hertford street, May-fair.

— In Albany-street, Regent's Park, Mr. Alley, barrister at law. The immediate cause of his death was scarlet fever, but he had lately become much attenuated in consequence of having taken poison by mistake.

— At his brother's house, Sottely

DEATHS.—JULY.

Hall, Suffolk, aged 68, the rev. Thomas Barne, M.A., of the Manor House, Crayford, Kent, one of the chaplains in ordinary to his Majesty.

23. At Glasgow, lieutenant-colonel Kirkland, half-pay, 86th foot.

— At the Parks, Great Malvern, aged 82, sir Robert Wilmot, the second baronet, of Osmaston, county Derby, (1772).

— At Tunbridge Wells, aged 60, A. L. Emerson, esq., M.D. Physician to his Majesty's forces, &c. of Ulvercroft Priory, Leicester.

24. At Bath, Dr. William Lempriere, deputy inspector-general of hospitals.

— Sir Charles J. Peshall, lately his Britannic Majesty's consul for North Carolina.

25. At Liverpool, aged 47, Mr. Henry Nixon, inventor of the Cælian organ, and author of an English grammar, and other works.

— Aged 62, Mary, wife of sir George Armytage, bart., of Kirklees.

26. In Arlington-street, aged 72, the right hon. Henry Bathurst, third earl Bathurst, of Bathurst in Sussex (1792), and baron Bathurst of Battlesden, county Bedford (1711), second baron Apsley, of Apsley in Sussex (1771), K.G. a teller of the exchequer, clerk of the crown, and elder brother of the Trinity House, D.C.L. F.R.S. F.S.A. &c. &c. In 1803, his lordship was appointed master worker of the mint, in 1807 he became president of the board of trade, and in 1809 his lordship was secretary of state for foreign affairs, which he held only from the 11th of October to the 6th of December. On the 11th of June 1812, he was appointed secretary of state for the colonial department, and he discharged the duties of that office for a period of nearly sixteen years. In 1828, he was appointed president of the council, which office he retained till the resignation of the Wellington Administration in 1830. In his various public employments earl Bathurst was attentive to business, and much esteemed by his party. His talents were sound; his manners were conciliating, and as a political adversary he conducted himself without asperity.

— In Clarges-street, in his 30th year, lord James Fitzroy, M.P. for Thetford, youngest son of the duke of Grafton.

27. At Litcham, Norfolk, in his 40th year, Thomas Edward Hoste, esq.

capt. in the Royal Navy; uncle to sir William L. G. Hoste, bart.

28. At Holmwood, aged 25, the right hon. Schomberg viscount Dunluc, eldest son of rear-admiral lord Mark Kerr, and the countess of Antrim.

— George Sanders, esq. capt. in the Royal Navy.

29. On board the Brothers, on his passage from Madeira, aged 26, Francis Porah, esq. B.C.L.

31. At Benares, in the East Indies, William Augustus Brooke, esq. This gentleman went to India in the civil service of the East India Company in the year 1768, and was, at the time of his decease, the oldest servant on the Bengal establishment. After filling various minor offices, he became, about the year 1796, senior judge of the court of appeal, or superior court at Calcutta. In January 1804, he was transferred in the same capacity to Benares, where he continued till his decease. He held the office of Senior or presiding judge of the court of appeal, in conjunction with that of agent or representative of the governor-general in Benares, till March 1829, when he relinquished his duties as a criminal judge, retaining his civil functions only till March 1833. He then wholly resigned his judicial appointments; but continued to reside in Benares, as the governor-general's agent, till his decease. He was a man profoundly versed in the laws and institutions of the natives of India.

Lately. At Warwick Castle, aged 98, Mrs. Home, for upwards of 70 years a servant of the Warwick family. She had the privilege of showing the castle, by which she realised upwards of 30,000*l.*

— In Coolcarney, aged 115 years, Walter Reape. He was born in the reign of king George I., in the townland of Carrowreagh, where he ended his existence.

Lately. On Everton Brow, near Liverpool, by being overturned from a Bath chair, at an advanced age, Miss Medley daughter of the late rev. S. Medley, and author of several poetical pieces.

— At Liverpool, Mr. S. Austin, the water-colour painter.

— At Tunbridge Wells, aged 30, the hon. Thomas Le Marchant Saumarez, late of the 5th foot, and second son of the right hon. lord De Saumarez, G.C.B.

— At Paris, aged 78, Jean-Baptiste de Champagny, duc de Cadore, a fr-

DEATHS.—AUGUST.

avourite minister of Napoleon. He was born in Rouanne, of a noble family. He entered the French navy under Louis XV., was a midshipman in the fleet of the count de Grasse, and wounded in the action so celebrated for the discomfiture of that admiral. In 1789, he was returned a deputy from the noblesse of Forez, to the states-general. He was one of the first who soon afterwards went over to the Tiers-Etat, and he was successively a member of the National Assembly and National Convention. During the reign of terror he was imprisoned, and narrowly escaped the guillotine. After this, he retired into private life, whence he was drawn by Napoleon; and his administrative successes are contemporaneous with the most brilliant of the military achievements of his patron. He succeeded Bernadotte in the embassy to Vienna in 1801, was minister of the interior from 1804 to 1807, and minister for foreign affairs from 1807 to 1811. In this capacity he had the good fortune to be acting, when, in 1809, Bonaparte prostrated the Austrian power, and he heartily assisted in the enforcement of Napoleon's "Continental system." He also negotiated the marriage of Napoleon with the emperor's daughter. In 1811, he was deprived of his portfolio, and entrusted with the management of the imperial domains. Under the restoration he was made a peer; but having acted for Napoleon during the hundred days, he was deprived of his peerage at the second restoration. In 1819 it was restored to him, and he held office under the government at the time of his death.

— At the vicarage house, Stoke Saint Milborough, Elizabeth, widow of sir Charles Hotham, bart. and wife of the rev. George Morgan.

AUGUST.

1. Near Woodford, Kettering, at a farm house to which she had walked, aged 40, Harriet, wife of the right hon. Charles Arbuthnot. She was the third daughter of the hon. Henry Fane (uncle to the present earl of Westmoreland), and was married to Mr. Arbuthnot, Jan. 31, 1814. Since Jan. 1823, she had received a pension of 936*l.* on the English civil list.

4. At Sheerness, of cholera, in his

63rd. year, sir Richard King, the second baronet, of Bellevue, in Kent, (1792), G.C.B. vice-admiral of the red, and commander-in-chief at the Nore.

6. Aged 21, Mr. Boswell Robert Gregory, of the Examiner's Office East India House, eldest son of Dr. Olinthus Gregory, professor of Mathematics at the Royal Military Academy, Woolwich. He had been on a continental tour for a few weeks, and was just returned in good health, when, on landing at Woolwich, from a steam vessel, the boat was swamped and he was drowned.

7. At Killaloe, aged 45, the right hon. Henry-Hartstonge Pery, lord Glentworth, eldest son of the earl of Limerick. This clever but imprudent young nobleman fell a victim to a career of reckless indulgence. Born to an earldom, and gifted by nature with great talents, he commenced life, under the most favourable auspices. Notwithstanding, the greatest part of his time, after he became of age, was spent in prison. His father, at various times, gave large sums to free him from difficulties, but unfortunately the earl's intentions were continually frustrated.

8. In Somerset-street, Portman-square, aged 78, general sir John Doyle, baronet, G.C.B. and K.C. colonel of the 87th foot, or Royal Irish Fusiliers, and governor of Charlemont.

— At Westfield Villa, near Bath, aged 76, the rev. James Sugden, formerly of Ringley, in Lancashire. He was of Brazenose College, Oxford, M.A. 1783. He left by will 500*l.* to the Bath United Hospital, 500*l.* to the Bath General Hospital, and 100*l.* each to the Birmingham Hospital, Dispensary, and Blue-Coat School.

9. In Albany-street, Mr. Nelson Weipert. He was originally a pupil of Ferdinand Ries, but had subsequently studied under Moscheles, Hertz, and Hummel. Early and sedulous application had obtained for him that mastery over the mechanical difficulties of the piano-forte, so rarely acquired in after-life, even by the most indefatigable student. His only publication was some airs, with variations, which appeared shortly before his death.

9. At East Barnet, Herts, lieutenant-colonel sir David Ogilby, E.L.C.: he was precipitated from a four-wheeled chaise, which produced instant death.

11. At Liverpool, aged 47, Edward

DEATHS.—AUGUST.

Roscoe, esq. second son of the late W. Roscoe, esq.

— Aged 70, William Crawshay, esq. of Stoke Newington, sole proprietor of the Cyfarthfa and Hirwain Iron-Works, in the counties of Glamorgan and Brecknock. Probate of his will was granted for 700,000*l.* personal property.

12. By falling from his bed-room window, at the Ram-Inn, Gloucester, aged 38, the rev. Henry West, curate of Frampton-upon-Severn.

13. At Sierra Leone, aged 50, Octavius Temple, esq. lieutenant-governor of that island.

— At Werkwar Castle, aged 69, the hon. George Massy, great uncle to lord Massy.

14. At Spennithorne Hall, Bedale, aged 52, John Clervaux Chaytor, esq.

— In Holles-st. Cavendish-square, colonel John Drigue Morgan.

16. At Tunbridge Wells, in her 80th year, Isabella Countess Parricini Canelli, a daughter of the hon. George Byron, and second cousin to the late and present lords Byron.

17. At Ratheoffy, county of Kildare, the seat of his aged father, aged 50, Gawen William Hamilton, esq. C.B. a captain in the royal navy. He was the eldest son of Archibald Hamilton Rowan, esq. whose name is associated with the stormy period of rebellion in Ireland.

18. At Sudbury, aged 67, William Adams, esq. an eminent brewer and maltster at Sudbury. He was sojourning at Cromer, about 70 miles from home, when, on the close of the first day's poll at the recent Sudbury election, the numbers being very nearly equal, two persons went for him. He was called out of bed, taken to Sudbury in great haste, and gave his vote about an hour before the close of the poll. The excitement brought on by these events in a short time produced delirium, in which state he remained until his sufferings were terminated by death.

— At York-terrace, Regent's-park, Richard Powell, M.D. fellow of the Royal College of Physicians.

19. At Youlston, Charlotte wife of sir Arthur Chichester, bart. and sister to sir James Hamlyn Williams, bart.

— At West Hatch, Somerset, Mrs. Cozens, in her 100th year, leaving eleven children, sixty-one grandchildren, and seventy-seven great-grandchildren.

22. At Berkley, Somerset, aged 85, the rev. John Methuen Rogers, rector of

that parish, with Rodden. He left 6,000*l.* towards the building and endowment of the church at Rodden; 1,200*l.* to the district church at Frome; a sum exceeding 1,000*l.* to the new church at North Bradley, and a house for the curate; and sums of smaller amount to many other churches, altogether exceeding 10,000*l.*

23. At Inveresk manse, colonel Fran. Philip Stewart, of E.I.C. service.

24. At his house, at Penshurst, Kent, the rev. Richard Yates, D.D. F.S.A. rector of Ashen, Essex, and for thirty-six years one of the chaplains of Chelsea Hospital. He published an "Illustration of the Monastic History and Antiquities of the Town and Abbey of St. Edmund's Bury, part I. 4to. 1805." "The Church in Danger: a statement of the Cause, and of the probable Means of averting that danger, attempted, in a letter to the earl of Liverpool, 1815." "The Basis of National Welfare, considered in reference chiefly to the prosperity of Britain, and the safety of the Church of England, in a second letter to the earl of Liverpool. 1817." "A Catalogue of the Evidences of Christianity." 1820. Patronage of the Church of England concisely considered, in reference to national reformation and improvement, and the permanence of our Ecclesiastical Establishments." 1823.

25. At Windsor Castle, aged 63, sir John Barton, treasurer to her Majesty.

— At Blount's Court, Oxfordshire, aged 33, the right hon. Charles Viscount Dungarvon, eldest son of the earl of Cork and Orrery, a deputy-lieut. for Oxfordshire.

26. Aged 90, Jonathan Dent, esq. of Winterton. His father was a respectable farmer, and left considerable property, but nearly the whole of it was lost through the failure of a bank. The son had, consequently, to begin the world again; and, after a persevering struggle of seventy years, he amassed, as is supposed, half a million.

28. At Crediton, aged 79, com. John Manley, R.N.

— In Chesterfield-street, Thomas Snodgrass, esq. formerly of the Madras civil service. Returning from India many years ago with a large fortune, he fitted up a house in Chesterfield-street with extraordinary splendour, but never received company in it more than once. He has left the sum of 175,000*l.* to the daughter of a widow lady named Rus-

DEATHS.—August.

sell, residing in Beaumont-street, Marylebone, entirely because her father was kind to him when he first went to India.

31. At Leeds, aged 48, colonel sir Michael M'Craagh, C.B., K.C.T.S., in speering field officer of the Northern Recruiting District.

— Aged about 70, professor Harding, of the University of Gottingen, an eminent astronomer, whose name will go down to posterity with the important discovery of the planet Juno, which it was his good fortune to make in 1804. He was descended from an English Catholic family; and was born at Lauenburg; having become tutor to the son of the astronomer Schroter, this circumstance led him to the study of practical astronomy, to which he afterwards exclusively devoted his whole life. After having been several years astronomical assistant to Schroter, he accepted in 1805, a professorship of astronomy at Gottingen, which he retained till his death.

Lately. The reigning duke of Anhalt Bernburg.

— At Frankfort, the Abbé Hennecart, a French emigrant, who was long editor of the Frankfort French Journal, and on whom Louis XVIII. conferred the order of the Legion of Honour.

— At Thonon, near Geneva, general Desaix, one of the most distinguished of the officers of Napoleon.

— At Llangollen, Mr. Salkeld, Excise officer, author of "The Pleasures of Home," and other Poems.

— At Dartmouth, Henry Fyfe Jauncey, esq. captain R.N. He was second lieutenant of the *Ethalion* frigate at the capture of a Spanish galleon, October 17, 1799, his share of prize money from which was more than 5,000*l.*

SEPTEMBER.

1. At Beddington Park, Surrey, aged 73, sir Benjamin Hallowell Carew, G.C.B. K.St.F.M. Admiral of the Blue.

— In Abingdon-street, aged 77, Thomas Telford, esq. president of the Society of Civil Engineers. This able man was born in the parish of Westerkirk, in the county of Dumfries, in the year 1757, and was educated at the parish school. At the age of four-

teen, he was apprenticed to the trade of a mason, and employed in building a house at Ramerskales in Annandale, for Dr. Mountjoy, who had returned from being first physician to the court of Petersburg. In early life, Mr. Telford gave indications of poetical talent. He wrote a poem entitled *Eakdale*, and was the "*Eakdale Tam*" of the poetical corner of the *Scots Magazine*. On the death of Burns, he wrote some verses to his memory, published in Dr. Currie's *Life of the Ayrshire bard*. Mr. Telford continued to be employed in house and bridge building, in his native district of Eakdale, until 1783, when, having been taught architectural drawing at Edinburgh, he proceeded to London, and was for some time employed at the great square of public offices at Somerset House. He afterwards superintended public buildings at Portsmouth dockyard, previous to acting generally as an architect and engineer. His gradual rise from the stonemasons' and builders' yard to the summit of his profession is to be ascribed not more to his genius, his ability, and persevering industry, than to the integrity and candour which marked his character throughout life. His works are so numerous all over the island, that there is hardly a county in England, Wales, or Scotland, in which they may not be pointed out. The Menai and Conway bridges, the Caledonian canal, the St. Katherine's Docks, the Holyhead roads and bridges, the Highland roads and bridges, the Chirk and Pont-y-cysyllte aqueducts, the canals in Salop, and other great works in that county, of which he was surveyor for more than half a century, will immortalize the name of Thomas Telford. The following is a chronological list of his principal works:—1788. A new gaol built for the county of Salop (Shrewsbury Castle being converted into a dwelling-house). Twenty-six bridges in the same county, from twenty to 130 feet span; two of them over the river Severn. 1798. A bridge over the Severn at Bewdley, consisting of three arches. A bridge, 112 feet span, over the Don, at Kirkcudbright, in Scotland. Bridge north church. The *Ellesmere* canal commenced in 1790; length 105 miles. Chief works, Pont-y-cysyllte aqueduct, 1,000 feet long, and 128 feet high; Chirk aqueduct, 600 feet long and seventy feet high. The *Caledonian* canal, begun in 1804. *Locks*, each 100

DEATHS.—SEPT.

the Court of King's Bench in Ireland. He was born at Drogheda, and was the elder son of John Jebb, esq., alderman of that city, and the only brother of the late learned bishop of Limerick. The late judge was named after his second-cousin sir Richard Jebb, M.D. physician in ordinary to king George III., who left him his heir, while he was a student at Lincoln's Inn. He was called to the Irish bar in the year 1787. In 1799, he published, "A Reply to a pamphlet intituled, Arguments for and against a Union." After having acted for several years as one of his majesty's counsel, he was successively appointed third and second serjeant; and in December 1818, fourth justice of the Court of King's Bench.

4. At Hitchen, Herts, Edward Ainge, esq. late a member of the hon. Society of Lincoln's Inn.

— In Singleton-street, City-road, aged 80, George Clymer, esq. late of Philadelphia, inventor of the Columbian printing press.

— At Alverstoke rectory, Hampshire, aged 35, donna Maria Francisca de Asis, titular queen of Spain. She was born April 12, 1800, and was the second daughter of John, the late king of Portugal, by Louisa Carlotta, Infanta of Spain. She quitted the land of her birth at an early age, when king John VI. withdrew to Brazil, whence she and her sister, donna Maria Isabel, proceeded to Spain; the one to be espoused to the late king Ferdinand VII., and the other to the infante don Carlos. Her marriage took place on the 29th of September, 1816. She had been about ten weeks in England. Her illness commenced with a cold, and terminated with a bilious fever, aggravated by the intense anxiety which she felt for the situation of her husband. On the first symptoms of her illness, the bishop of Leon proceeded to Portsmouth, and never quitted the bedside of his royal mistress until she ceased to breathe. The queen left to all some token of remembrance, and directed that her mortal remains, instead of being deposited in the Royal Pantheon of the Escorial, should, when a seasonable opportunity offered, be conveyed to Orihuela, an episcopal city in the province of Valencia, four leagues from the Mediterranean, and thirty from the capital, where she had founded and endowed a convent for forty nuns. She left three

sons, who, together with her elder sister the princess of Beira, attended on her last moments. The funeral took place on the 16th of September. The ships of war in port hoisted the Spanish ensign, half-mast high, at the main. The batteries did the same, and fired minute guns from the time the corpse left the house till the ceremony was over. A guard of honour received the body at the Rectory, and was relieved by another at Gosport chapel, two miles distant. That building was so small, that it was found necessary to enlarge it, and seats were allotted to 140 persons, who paid 2s. each for their tickets. The hearse reached the chapel door at a quarter past twelve. The body was placed on a platform raised in the centre of the building, with burning tapers around. After the first part of the ceremony was over, an impressive and appropriate funeral oration was pronounced in English, in which the orator dwelt at some length on the virtues and charitable disposition of the late princess, and expatiated on the undaunted courage which she had displayed in Portugal. The service ended at half-past four, when the body was deposited, at its temporary resting-place, in a small vault, purposely constructed at the foot of the altar.

5. At Lissendrum, Aberdeenshire, the seat of his family, where he was on a visit to his nephew, in his 77th year, the right rev. William Bisset, D.D. bishop of Raphoe. He was educated at Westminster, where he was admitted a king's scholar in 1771, and thence elected a student of Christ church, Oxford, in 1775. He took the degree of M.A. in 1782. In 1785, he was presented to the rectory of Ballymakenny, near Drogheda: and he was afterwards rector of Loughal, a prebendary of Armagh, and archdeacon of Ross. From the latter dignity he was promoted by marquis Wellesley, in 1822, to the see of Raphoe, in which he succeeded the late archbishop Magee. When the see of Dublin became vacant by the death of that prelate, the government offered to Dr. Bisset the vacant archiepiscopal chair; but his lordship declined it. The see of Raphoe is the fifth that has lapsed since the passing of the Irish church temporalities act: the temporalities go to the Ecclesiastical Fund; and the superintendence of the see, with the patronage, devolves on the bishop of Derry.

DEATHS;—SEPT.

7. At Thorp Arch, aged 81, George Vincent, esq. formerly a captain in the 9th foot, one of the few remaining officers who had served under general Burgoyne, in America.

9. At Milford, aged 68, the rev. Thomas Jones, a minister of the Independent connexion, author of a book "On the Mediation of Christ."

13. At the Royal Mint, in his 82nd year, Henry William Atkinson, esq. provost of the Corporation of Moneyers of his majesty's Mint.

14. At Florence court, the seat of the earl of Enniskillen, in his 29th year, captain W. H. Wood, 10th Hussars, second son of colonel and lady Caroline Wood.

— At Edinburgh, the right hon. sir John Leach, knight, master of the rolls, a privy councillor, a benchler of the Middle Temple, and LL. D. He was born in the year 1760, in the town of Bedford, where his father was a tradesman; and was one of several sons. After attending the Grammar School at Bedford, he was placed in the office of sir Robert Taylor, the architect. In this office he met, as a co-pupil, the late Mr. Samuel Pepys Cockerell; and it was owing mainly to Mr. Cockerell's recommendation and encouragement that Mr. Leach commenced the study of the law. He entered himself at the Middle Temple on the 26th of January, 1785, and became the pupil of that eminent draughtsman and judge, sir W. Alexander, then in great practice as a junior equity counsel. In Hilary term, 1790, he was called to the bar by that Society, and chose the Home Circuit and Surrey Sessions. The first important matter in which he was retained as counsel was the Seaford election, and the subsequent petition against it. This was his first connection with that borough, which he afterwards represented in Parliament. In 1800 he relinquished all common law business, and confined himself to equity practice, in which he rose rapidly into eminence. He became King's Counsel in 1807. His talents as a speaker not only secured his employment in the Equity Courts, but gained him considerable business at the Cockpit, more particularly in West-India appeals. In 1795 he had been elected recorder of Seaford, and having resided and purchased property in that place, he had by degrees obtained sufficient influence in the borough to return both

of its members in the general elections in 1806 and 1807, in opposition to Mr. Ellis, of Esher-park, who had returned the members at the general elections of 1796 and 1802. In the election of 1806 Mr. Leach was returned for that borough, together with Mr. G. Hibbert, and voted with the Whig Administration. He did not speak often in the House of Commons, although when he chose to address the House he spoke with effect, and was listened to with respect and attention. His most remarkable speeches were on the duke of York's affair on the motion of colonel Wardle, in 1809, and on the bill for creating the vice-chancellor's court. In the former, March 10, 1809, he defended the duke, which so pleased his royal highness that he called on Mr. Leach the next day, begged his acquaintance, and introduced him to the then prince of Wales. This was the foundation of that confidence and intimacy which subsisted so long between the late king and sir John Leach. His speeches on the vice-chancellor's court bill were all in opposition to the plan. In 1811 he spoke in favour of the regency bill, and thought it advisable to print his speech; and from this time the favours of the court flowed in upon him. In August, 1817, he succeeded Mr. Baron Garrow as chief justice of Chester; and in December following, sir Thomas Plumer as vice-chancellor, and was knighted. On his acceptance of the office of vice-chancellor, sir John took the Chiltern Hundreds, and parted with his interest in the borough of Seaford. In May, 1827, he succeeded sir John Copley as Master of the Rolls, and was sworn a privy councillor. Sir John will long be remembered as a judge. His capacities for his office were very great. His most remarkable qualities were his power of seizing on the important points in every case that came before him, and his being able to deliver his opinion on them immediately, in a manner the most clear and precise. Erysipelas is said to have been the disorder which terminated his valuable life, attended with a cold, caught on his return from a visit to the duchess of Sutherland, at Dunrobin Castle.

14. In Wilton Crescent, in his 62nd year, Godfrey Wentworth Wentworth, esq.

15. At Exeter, aged 75, the rev. Richard Warwick Benfytide, rector of Poltimore and Huxham, and of Black

DEATHS.—SEPT.

Torrington, county Devon; uncle to lord Poltimore.

16. At Bridport, in his 69th year, G. L. Roberts, M.D., inventor of the celebrated ointment, the "Poor Man's Friend." He was a member of the Wesleyan Society, and a man of active benevolence.

17. At Perdeswell cottage, near Worcester-shire, William Raphael Egginton, esq. an eminent painter on glass.

18. In Dublin, of cholera, sir Thomas Charles Yates, of Furnins, county Kildare, late one of the commissioners in Ireland for the purposes of the Reform Bill.

— At Brighton, Charles Augustine Busby, esq. architect and civil engineer, son of Dr. Busby, the translator of Lucretius.

19. At Brighton, aged 52, Edmund Palmer, esq. a captain in the royal navy, and C.B.

— In Middle Scotland-yard, aged 50, Robert Willimott, esq. for many years, and to the close of his administration, private secretary to the late earl of Liverpool.

20. At Somerford-park, Cheshire, aged 67, Charles Watkin John Shakerley, esq., of that place, and Shakerley-hall, Lancashire.

21. Aged 75, Christopher Stanger, esq. M.D., Gresham professor of physic forty-five years, and physician to the Foundling Hospital upwards of forty years.

22. Aged 73, Alexander Marsden, esq. formerly chief commissioner of Excise in Ireland.

— At Bath, J. F. Gyles, esq. barrister. He was the author of a compendious Hebrew Grammar, and an Essay on the Proofs of the Truth of Christianity.

24. At Bath, Miss Charlotte Bentley, daughter of the late Richard Bentley, esq. and granddaughter of Dr. Bentley, master of Trinity College, Cambridge.

— George Smythe, esq. advocate. Accompanied by his two younger brothers, he was returning to Edinburgh from Delvine House, the seat of sir A. M. Mackenzie, bart. Near Caputh, the horses starting off at a furious rate, Mr. Smythe threw himself from the carriage and was so severely injured that death terminated his sufferings. Messrs. Patrick and William Smythe got out by the back of the carriage, and escaped with little injury.

24. At Elliot House, near Ripon, at an advanced age, captain Elliott, R.N. one of the few survivors who sailed round the world with captain Cook.

— At the palace of Queluz, Lisbon, in his 36th year, dom Pedro d'Alcantara, duke of Braganza, regent of Portugal, and ex-emperor of the Brazils. Dom Pedro was born in the palace of Queluz, October 12, 1798, and was the second son of king John the sixth, and Carlotta Joachima, daughter of Charles the fourth of Spain; but, by the early death of his brother Anthonio, he became heir-presumptive to the throne. His first tutor was the padre Antonio d'Arribas, afterwards bishop of Annumria, who instructed him in latin and music: in the latter he became a proficient, both as a player and composer. When ten years of age, he accompanied his father to the Brazils, and on his arrival there, his education was confided to the accomplished John Radamack, who had been ambassador from Portugal to Denmark; but he soon died, and the prince was afterwards permitted to educate himself. Left alone, in an uninformed state of society, there were two or three strong and harmless propensities, which in some measure diverted his mind from worse pursuits. He was fond of mechanics, and many specimens of his boyish ingenuity are still preserved; the chase also removed him from the enervating capital to the exercises of the Brazilian forests; but, above all, his taste for music tended to withdraw him from less innocent amusements. At an early age, his father resolved to have him married. A princess of the house of Austria was selected for him, and Leopoldina, daughter of the emperor Francis I, and sister to the wife of Napoleon, was married to him on the 13th of May, 1817, before he was nineteen years of age. The princess was of an amiable and affectionate disposition; but she was not handsome, and was unusually careless in her dress and habits, which disgusted Pedro, and his unkindness led to her premature death. She left five children. The revolutionary spirit had now infected Brazil; and, after king John had returned to Portugal, Pedro, who was left as regent, thought it politic to put himself at the head of the movement. His conduct was severely censured at Lisbon, and the Cortes issued a peremptory order that he should return to Europe in four months. When he received this order,

DEATHS.—SEPT.

don Pedro read it with deep emotion ; but, after a few minutes' reflection, being well convinced of the sentiments of those about him, he exclaimed, "Independence or Death !" This was repeated with enthusiasm on every side, and soon spread over all parts of the country. The independence of Brazil was proclaimed, and Pedro declared the emperor of the new nation ; this took place on his birth-day, in the year 1825. He was crowned on the 1st of December. A national assembly, which he convoked in the following May, he dissolved after a few days by military violence ; and he himself drew up the constitution, to which no one dared to object. The sum of two millions was paid to Portugal for her acknowledgment of the independence of Brazil ; and Pedro was established at the head of a magnificent empire. In 1826 king John died at Lisbon, and Pedro in consequence succeeded to the throne of Portugal ; but, knowing how unpalatable the reunion of the crowns would be to his new subjects, he acted with a promptness and decision consonant to his character. He immediately drew up a constitution for the Portuguese, which took him just one week to compose, and then abdicated in favour of his daughter, donna Maria da Gloria. It had previously been her father's intention to unite her to her uncle, don Miguel ; and the legal part of the ceremony had actually been performed at Vienna ; to don Miguel, therefore, he committed full powers to act as regent of Portugal on behalf of his niece and bride. That prince accordingly set out from Vienna, where he then was, and having passed through England, proceeded to assume the sovereignty of Portugal, where he in a very short time altered his title of regent to that of king. When the news of this unexpected perfidy, of which he had himself set the example, arrived in Brazil, and the emperor saw himself deceived by his brother, he could not repress his passion. He tore his brother's portrait to pieces, and kicked the fragments about the palace. Nor did he delay the prosecution of less impotent measures of reprisal ; he addressed a proclamation to the Portuguese nation, and sent his daughter to Europe, to be ready to avail herself of any movement in her favour. He could not, however, induce the Brazilian to espouse his personal quarrel, and he was disappointed in the aid he

anticipated from England ; nevertheless he utterly refused any reconciliation with Miguel. At this period Pedro seemed disposed to forget his public mortifications in private indulgences. He sought the society of the duchess of Goyas more than ever, and feeling his home desolate without his wife or favourite daughter, he determined to marry his concubine, and placed her on the throne. The bishop of Rio, who had been for some time in disgrace for not conniving at the excesses of the court, was conciliated, and every pains taken to reconcile him to the measure. The real friends of don Pedro now took serious alarm ; and therefore seriously set about counteracting this project, which could only be done by seeking for him another wife. In this object some difficulty was experienced ; at length he was accepted by Augusta, daughter of Eugene duke of Leuchtenberg, who, to the great joy of his friends, arrived at Rio in August, 1829, where the nuptials were celebrated with great splendour. But the mortal struggle was now approaching between Pedro's absolute power and the authority of his chambers. When the struggle came, Pedro was deserted by his army ; and left without any support. With his characteristic precipitation, he immediately embarked on board an English frigate, and abdicated in favour of his son, don Pedro d'Alcantara, then eight years old. The affairs of his daughter were at this time in a desperate state ; the abortive attempts of the patriots of Oporto had altogether failed, and the reign of don Miguel was established with the apparent consent of the people so firmly, that little hope remained of shaking it. A gleam had appeared in the unexpected capture and submission of Terceira ; but the possession of a small and remote island in the Atlantic could afford but a dim prospect ; however, an expedition from thence landed at Oporto, and, after considerable perseverance and energy, Pedro succeeded in reaching Lisbon on the 28th of July, 1835, and established himself there as regent to his daughter. On the 22nd of September she arrived, and was formally acknowledged as constitutional queen of Portugal. Scarcely had he completed the establishment of his daughter's throne, when he was suddenly removed by death ; his fatal malady is supposed to have been water in the chest. In

DEATHS.—OCT.

person he was inelegant, low in stature, with limbs rather coarse and robust; his countenance had little intelligence; his face was broad, pitted, and blotched, and covered with enormous whiskers, which he required every military man to imitate. He generally dressed in a splendid uniform, and his private clothes were always new and fashionable. His funeral occupied the greatest part of the night between the 27th and 28th of September. The following epitaph has been placed on his tomb, in the church of St. Vicente da Fora:

D. O. M.
PETRUS IV.

Portugaliae et Algarbiarum Rex, primus Brasiliae Imperator, ac Brigantiae Dux—Joan. VI. Imperat. ac Regis filius—Patriae Libertatis Assertor et Vindex. Dum Regnum in filiam carissimam Mariam II. sponte translatus, ejus nomine regeret, obiit maximo omnium Lusitanorum luctu die xxiv. Septemb. anno Dom. mdcccxxxiv, ætatis suæ xxxvi.

26. At Boughton House, aged 17, Georgiana, only daughter of Charles Babbage, esq. of Dorset-street, Manchester-square.

28. At Clifton, aged 70, the right rev. Robert Gray, D.D. lord bishop of Bristol, and a prebendary of Durham. Dr. Gray was the son of a silversmith in London. He was a member of St. Mary Hall, Oxford, where he graduated M.A. 1787, B.D. 1799, and D.D. 1802. His first literary work, which established his professional fame, was his "Key to the Old Testament and Apocrypha; being an account of their several books, their contents and authors, and of the times in which they were written." It was compiled on the plan of bishop Percy's "Key to the New Testament;" and, has been adopted as a class-book at both the Universities. Shortly after, Mr. Gray was presented to the vicarage of Farringdon, in Berkshire. In 1793, he published a volume of "Discourses on various subjects illustrative of the Evidence, Influence, and Doctrines of Christianity;" and in 1794, a volume of "Letters during the course of a tour through Germany, Switzerland, and Italy in the years 1791 and 1792, with reflections on the manners, literature, and religion, of those countries." In 1796, he was appointed Bampton Lecturer, and his discourses preached on that occasion, were published the same year under the title of "Sermons on the

principles upon which the Reformation of the church of England was established." His literary services to the church having attracted the notice of bishop Barrington, Mr. Gray was, in 1800, collated by his lordship to the rectory of Craike in Yorkshire, and afterwards, in 1804, to the seventh stall in the church of Durham, and again in 1805, to the rectory of Bishopwearmouth. At Bishopwearmouth, where he succeeded the celebrated Dr. Paley, he continued to discharge the parochial duties until his elevation to the see of Bristol in 1827. In 1800, Dr. Gray published "Religious Union;" being a sketch of a plan for uniting Catholics and Presbyterians with the Established Church; in 1802, "A Dialogue between a Churchman and a Methodist, in which the grounds of their Communion and Separation are examined;" and in 1816, a work entitled "The Connexion between the Sacred Writings, and the Literature of the Jewish and Heathen Authors, particularly that of the classical ages; illustrated principally with a view to evidence in confirmation of the truth of Revealed Religion."

Lately. At Stonehouse, Mr. R. T. Spearman, purser R.N. a man of extremely frugal, if not penurious habits, who has bequeathed 12,000*l.* for building almshouses in Devonport, for poor women above 60 years of age, members of the established church, with an annuity of 12*l.*

— At Holdgate, near York, aged 86, Hannah, widow of Lindley Murray.

OCTOBER.

1. At a very advanced age, Mrs. Pryme, of Hull, mother of George Pryme, esq. M.P. for Cambridge.

4. At Spring Lawn, Heavitree, Devon, after a long and severe illness, sir Henry Maturin Farrington, the third baronet (1794), a major in the army.

5. At Belvidere, the right hon. Maria-Marow lady Saye and Sele.

6. At Dumbarton, aged 63, William Mather, esq. of Hamilton.

14. At Staples-buildings, aged 44, Mr. Edward Pidgeon, a gentleman of literary acquirements, and one of the translators of Cuvier's Natural History.

— At Cuckfield, Sussex, aged 54, the rev. Edward Frank, of Campal Park, near Doncaster, rector of Shelton cum Hendwick, Norfolk, and of Alderton,

DEATHS.—Ocr.

Suffolk. He was the younger but only surviving son and heir of Bacon Frank, esq. of Campsal, who died in 1812, by Catharine, daughter and heir of John Hoare, of Pontefract, esq. by Elizabeth, daughter and coheir of Robert Frank, esq. Recorder and some time M.P. for that borough.

16. At Bath, aged 54, the lady Elizabeth Forbes, half-sister to the earl of Granard.

17. At Stephenstown, county of Louth, where she had resided for the last seventeen years, aged 72, Agnes, wife of William Galt, and eldest sister of Robert Burns, the celebrated Ayrshire poet.

21. At his seat, Knowsley Park, Lancashire, aged 82, the right hon. Edward Smith-Stanley, twelfth earl of Derby, (1485), and sixth baronet (1627); a privy councillor, lord lieutenant and custos rotulorum of Lancashire, &c. &c. His lordship was a member of Trinity college, Cambridge, together with his younger brother, Thomas, and the degree of master of arts was conferred upon them both in the year 1773. The latter died, when M.P. for Lancashire in 1776. Shortly after coming of age, lord Stanley was, at the general election of 1774, chosen one of the knights to serve in Parliament for the county of Lancaster. On the 23d of February, 1776, on the decease of his grandfather, who died at the age of eighty-seven, he succeeded to the earldom, and also to the lord lieutenancy of Lancashire, to which office he was sworn on the 15th of March following. On the 29th of August, 1783, during the administration of the duke of Portland, the earl of Derby was appointed chancellor of the duchy of Lancaster, which office he held for about four months. Having been a zealous political supporter of lords Grey and Holland, his lordship was, in February, 1806, again appointed to the same office, and then held it for about twelve months. His lordship was twice married. His first wife, to whom he was united on the 12th of June, 1774, was the lady Elizabeth Hamilton, only daughter of James, sixth duke of Hamilton, by whom he had issue one son and two daughters. On her death, after a long separation, on the 14th of March, 1797, the earl married, on the 1st of May following, the celebrated actress, Miss Farren, who died on the 23rd of April, 1829.

21. At Tichfield, aged 66, captain David Colby, R.N. He lost his right

arm, when first lieutenant of the Robust, in the action with la Hoche, off Tory Island, October 12, 1798.

23. At Paris, aged 65, William Robert Spencer, esq. cousin-german to the duke of Marlborough. This accomplished gentleman was the second son of the late lord Charles Spencer, by the hon. Mary Beauclerk, daughter of lord Vere, and sister to Aubrey, fifth duke of St. Alban's. Being the younger son of a younger son, Mr. Spencer, early in life, found it prudent to accept the appointment of commissioner of stamps. Mr. Spencer was a poet of some reputation. His poetical works were, a "Translation of Leonora," from the German of Burger, a folio volume, embellished with designs by his aunt, lady Diana Beauclerk, 1796. "Urania, or the Illuminé, a comedy," 1802. "The Year of Sorrow," 1804, 4to.: and "A volume of Poems," 1811.

24. At Westhorpe House, Maria, wife of general sir G. Nugent, bart.

25. At Ranby Hall, Nottinghamshire, aged 74, Anna Maria, duchess dowager of Newcastle. She was married Jan. 25, 1782, to Thomas third duke of Newcastle, who dying in 1795, her grace remained a widow until 1810, when she was again united in marriage to lieutenant-gen. sir Charles Crauford, G.C.B. who died in 1821.

— In Barnard's Inn, aged 28, Thomas Charles Wilson Mayhew, esq. son of Francis Mayhew, esq. of Fitzroy-square, and Carey-street. He was the proprietor and projector of several cheap popular works, having been connected with the Figaro, Lo Studio, the Diamond Shakspeare, the popular Dictionary of Universal Information, a work principally compiled from the German Conversations Lexicon, &c. At the time of his decease he was occupied in four periodical publications, a History of England, a Cyclopædia, a translation of French Plays, and the National Library! The application which such a variety of literary labours required, together with certain complicated pecuniary transactions connected with the last, led to his death; he destroyed himself with prussic acid and fumes of charcoal.

26. At Barnes-green, the baron de Noual.

— The notorious Dr. Eady, an empiric, whose name was conspicuous on all the walls in the outskirts of the metropolis. He was one of the sons of a cooper at Huntingdon.

DEATHS.—Nov.

27. At Bingley, Yorkshire, suddenly, when dining with major Farrand, aged 65, Thomas Athorpe, esq. of the Hatch, near Windsor, late the lieutenant-colonel of Horse Guards (blue).

— At Newton Park, captain John Fred. Gore Langton, Coldstream Guards, youngest son of colonel Gore Langton, M.P. for the eastern division of the county.

29. At Plymouth, G. Harvey, esq. one of the mathematical masters of Woolwich Academy. He terminated his existence by hanging himself with a silk handkerchief, to a hook in the cellar.

30. At Appleshaw, aged 79, lieutenant-colonel George Duke.

Lately. At Washington, America, aged 78, Thomas Law, esq. elder brother to the lord bishop of Bath and Wells, and uncle to lord Ellenborough. He was the eighth son of the right rev. John Law, D.D. lord bishop of Carlisle, by Mary, daughter of John Christian, of Unerigg, in Cumberland, esq. In the year 1773, he proceeded to India, where, soon after his arrival, he was stationed as an assistant under the provincial council of Patna; and, not long afterwards, was nominated a member of the revenue board. In 1799 he was removed to Calcutta, and appointed a member of the provincial council in that city; to which situation he was recommended by sir Eyre Coote, who described him as a gentleman well versed in the Persian language. Mr. Law returned to Europe in the following year, and after remaining in England for a year or two, transferred his residence to the United States. There he invested in lots and houses, in Washington, the greater part of all his funds. From that time, he was identified with the city, as one of its oldest, most zealous, and enlightened citizens. With the exception of two or three visits to his connexions and friends in Europe, he was a constant resident there, employing himself mostly in literary labours, and indulging with delight in such hospitalities as his narrowed means (for his investments did not prove lucrative) allowed him to exercise.

NOVEMBER.

3. At Torquay, aged 55, Richard Earle Welby, esq. fifth son of the late sir William Earle Welby, bart. of Denton Hall, Lincolnshire.

4. At Kennington, aged 80, George

Martin Leake, esq. Chester Herald. He was the youngest son of Stephen Martin Leake, esq. garter king of arms, and brother to John Martin Leake, esq. made Chester herald in 1752, upon whose surrender of his patent, in 1791, the deceased was appointed his successor, and continued in the office until his death. His father, brother, and himself were members of the College for upwards of 107 years.

5. At Findrassie House, col. A. Grant, C.B. of the Hon. E.L.C. service.

6. At Southampton, aged 90, Theodora, widow of the right hon. George Rose, who died in 1818.

6. At his house, Holles-street, Dublin, A. Hamilton, Rowan. He had been committed to Dublin gaol for two years for a libel; and in May, 1794, was charged with high treason in carrying on a traitorous correspondence with the French, when he made his escape from prison. The lord-lieutenant offered, by proclamation, a reward of a 1,000*l.* for his apprehension; but he got safely to Brest, and thus was supposed to have escaped the extreme penalty of the law. He was a gentleman of fortune, and lived to attain his 83rd year.

7. At his residence, Woburn Farm, near Chertsey, aged 73, Charles Stirling, esq. the senior vice-admiral of the white, and F.R.S.; brother to sir Charles Stirling, bart. F.R.S. He was the youngest son of sir Walter Stirling, knt.; and after passing through the intervening ranks of the naval service, he was promoted to that of commander; and on the 6th September, 1781, being on a cruise off Charlestown, in the *Savage*, of 14 guns and 125 men, fell in with, and maintained a spirited action with: the Congress, American privateer, of 20 guns and 215 men. For his gallantry in that action, he was made a post-captain, by commission, dated Jan. 15th, 1783, and appointed to the *Unicorn*, of 20 guns, stationed in the West Indies. Some time after the commencement of the war with republican France, he commanded the *Venus* frigate, and subsequently the *Jason*, of 44 guns and 281 men, employed in the channel. The latter frigate formed part of the expedition to Quiberon, under sir John Borlase Warren, in the summer of 1795.

10. At Althorp Park, Northamptonshire, aged 76, the right hon. George John Spencer, second earl Spencer and

DEATHS.—Nov.

viscount Althorp, county of Northampton (1765), viscount and baron Spencer of Althorp (1761); K.G.; a privy councillor, a trustee of the British Museum, a governor of the Charter House, an elder brother of the Trinity House, high steward of St. Alban's, D.C.L., F.R.S., F.S.A., a director of the British Institution, &c., &c. He was born at Wimbledon on the 1st of Sept., 1758, and was the only son of John, first earl Spencer, by Georgiana, eldest daughter of Stephen Poyntz, of Midgham, in Berkshire, esq. The early part of his education was trusted to a private tutor; after which he was sent to Harrow, with a suite and attendance of such state as was considered an intrusion upon the uniformity of school discipline. At Harrow he enjoyed the advantage of having, for a short time, sir William Jones for his tutor. His lordship proceeded in due time to Trinity College, Cambridge, where his college tutor was the late rev. Charles Norris, prebendary of Canterbury. After having made a tour on the Continent, lord Althorp entered upon his political life in 1780, when he was elected to Parliament for the town of Northampton. Connected, by birth and family ties, with the greatest Whig families in England, lord Althorp naturally set out in his political course upon Whig principles, and attached himself to that party, which was strenuously opposed to the administration of Lord North. Their efforts proving successful, lord Althorp was, in 1782, appointed a commissioner of the new Treasury Board. In April of the same year, he was elected for Surrey; and on the death of his father, October 31st, in the year following, he succeeded to the earldom, and also to the office of high steward of St. Alban's. In 1792 he dissevered himself from the friends of revolutionary change, and determined to support Pitt's government in union with Burke and Windham, though in opposition to his former associates, Fox, Sheridan, and Erskine. In 1794, lord Spencer was sent on a special embassy to the court of Vienna; and, during his absence, on the 19th of July, was appointed lord privy seal; which office he resigned, in the following December, for that of first lord of the admiralty, where he succeeded the premier's brother, earl Chatham. Lord Spencer was at his desk every morning at nine o'clock; and not a letter of the meanest individual remained unanswered. His naval ad-

ministration was distinguished by the victories of the 1st of June, Cape St. Vincent, Camperdown, and the Nile, which gave to the British flag a lustre it had never before acquired. It was while lord Spencer presided at the Admiralty, that the Mutiny at the Nore broke out. On the peace of Amiens, lord Spencer retired from office; and in the debate in the House of Lords, respecting the peace, he delivered a speech in disapprobation of it. He returned again to public duty, as secretary of State for the home department, together with lord Grenville and Mr. Fox, in 1806. The death of the latter statesman, which soon followed, dissolved the administration; and from that period the noble earl removed from the arena of Parliament. The Earl was the collector of the finest private library in Europe, the history of which is developed by Dr. Dibdin, in the *Ædes Althorpianæ*; and some of its most important contents are described in the *Bibliotheca Spenceriana*. His lordship placed his early printed books (including all the *Editiones Primariæ*) together with the works printed by the *Aldine Family* in his London residence: the great bulk of his library being deposited at Althorp—his ancestral residence—in a suite of rooms on the ground floor very little short of two hundred and fifty feet in length. On the establishment of the Roxburgh club in 1812, earl Spencer became its president. Earl Spencer married, on the 6th of March, 1781, the hon. Lavinia Bingham, eldest daughter of Charles lord (afterwards earl of) Lucan, and sister to the present earl. Her ladyship died on the 8th of June, 1831, having had issue five sons and three daughters.

13. At Bath, in his 70th year, sir Herbert Sawyer, K.C.B. admiral of the White. Sir Herbert served under his father during the war with our Trans-Atlantic Colonies, at the conclusion of which he commanded the Porcupine sloop, at Jamaica. His commission as a post-captain bore date February 3rd, 1789, and in the following year he commanded the Pegasus of 28 guns, on the Newfoundland station. At the commencement of the contest with France, in 1793, he commissioned the Amphion frigate; from which he removed about the year 1795, into the Nassau of 64 guns, and cruized in her on the coast of Ireland, and with the North Sea fleet, until the autumn of 1797, when he was appointed to the Saturn, 74, attached to

DEATHS.—Nov.

the Western squadron. In the spring of 1799, he succeeded sir Henry Trollope in the command of the *Russell*, also a third-rate, and continued in that ship till the beginning of 1801, when he joined the *Juste*, of 80 guns, and accompanied sir Robert Calder to the West Indies, in pursuit of a French squadron that had escaped from Brest, but which, instead of crossing the Atlantic, had proceeded up the Mediterranean. Subsequently to his return to England, he was appointed to superintend the payment of the ships at Plymouth, where he remained until advanced to the rank of rear-admiral, October 2nd, 1807. About the month of May, 1810, he hoisted his flag as second in command at Portsmouth; and on the 31st July, 1810, was promoted to the rank of vice-admiral. Towards the latter end of that year, he proceeded in the *Africa*, of 64 guns, to the Halifax station, where he held the chief command for nearly three years. Towards the latter end of 1813, vice-admiral Sawyer hoisted his flag as commander-in-chief at Cork; and on the 2nd January, 1815, he was nominated a K.C.B. He has left a son, a lieutenant in the navy.

— At Dukinfield, aged 64, William Hampson, esq. a justice of the peace for the counties of Chester, Lancaster, and York.

14. At Steine, in the Isle of Skie, at an advanced age, Mrs. Mac Leod, widow of Major Mac Leod, only surviving daughter of the celebrated Flora and captain Allan Macdonald, of the 84th regiment.

15. At Walcot-place, Lambeth, the right hon. Matthew Barnewall, sixth viscount Barnewall of Kingsland, and baron of Turvey, county of Dublin. (1646.) He was descended in the fourth degree from Francis, younger son of Nicholas, the first viscount, who was created a peer for his services to king Charles the First. His lordship was three times married; and by his first wife had issue, John, now viscount Kingsland. His second wife was Mary Anne, eldest daughter of John Bradshaw, of Cork, esq.; and he married, thirdly, January 2nd, 1820, Julia, daughter of John Willis, of Walcot-place, Lambeth, esq.

15. At Edmonton, general Irénée François Marie Delacroix, baron de Boegard, native of Gravelines.

— At Burnham Market, Norfolk, in his 83rd year, Thomas Bolton, esq.

This gentleman married Susanmah, eldest sister of admiral lord Nelson; and his son, Thomas Bolton, esq. of Brickworth, the present high sheriff of Wilts, is heir presumptive to the titles, &c. of the hero of Trafalgar.

16. At Fulham, lady Sophia Margaret, wife of sir Charles E. Kent, bart. and sister to earl Beauchamp, and the countess of Langford.

19. At Shrewsbury, in his 63rd year, Francis Knyvett Leighton, esq. mayor of Shrewsbury, and formerly lieutenant-colonel in the Shrewsbury volunteers.

22. In Cunningham-place, Edgware-road, after a long and severe illness, aged 58, the hon. and rev. Pierce Meade, archdeacon of Dromore, uncle to the earl of Clanwilliam, and brother to the countess of Meath and Lady Howden.

23. Rowland Detrosier, of Manchester, secretary to the late national political union. His profession was that of a public lecturer. He directed his remains to be devoted to the purposes of science.

26. By a fall when hunting in the New Forest, by which he dislocated his neck, aged 53, the right hon. John Lysaght, third baron Lisle of Mountnorris, county Cork.

— At Church-row, Hampstead, aged 75, Thomas Parke, esq. formerly F.S.A. a poet and editor of early literature; yet, although best known by his literary pursuits, he was originally educated as an engraver, and of his abilities in that profession executed several very credible specimens in mezzotinto, among which may be mentioned his portraits of Dr. Thomas, bishop of Rochester, and Mrs. Jordan in the character of the Comic Muse. His inclination for poetry displayed itself early, and Cowper, has in his correspondence borne testimony to his merit; "he has genius, and delicate taste; and if he were not an engraver, might be one of our first hands in poetry." His first appearance in print was not till four or five years subsequent to the above mention made of him by Cowper; namely, in 1797, when he published a volume of "Sonnets and other small Poems," in 8vo. In 1803, he edited with some additions, sir J. Harrington's *Nugæ Antiquæ*, in 2 vols. 8vo.; and in the same year was elected a fellow of the Antiquarian Society. A more extensive editorial task was undertaken by him in 1806, when he commenced a greatly augmented republication of Walpole's "Royal and noble Authors," extending

DEATHS.—Nov.

the catalogue from the number of ninety to that of two hundred writers of that class, besides about a hundred notices of Scottish and Irish ones; whereas Walpole had confined himself to England. The work was thus extended to five large octavos, and embellished with 150 portraits. From the year 1808 to 1813, Mr. Parke was engaged in superintending the reprint of the "Harleian Miscellany, in 10 volumes 4to.; after which, he revised the second edition of "Ritson's English Songs." He was, likewise, a coadjutor of sir Egerton Bridges, and the late Mr. Haslewood, in the "Censura Literaria, British Bibliographer," &c. To these various labours may be added "Hibernia, consisting of Poetry of the Elizabethan Age," in 3 vols. 4to. and several poetical articles to Nichol's "Progresses of Queen Elizabeth." His later publications were both fewer and more brief; for the most part also of a religious or other character. Among them may be mentioned "Advantages of Early Rising," 1824, and "Solacing verses for Serious Times, and for All Times," 1832. Mr. Parke was father of the late John James Parke, esq. professor of English law and jurisprudence at King's College, London.

29. At Pisa, in his 77th year, Anthony Aufrere, esq., of Old Foulsham Hall, in the county of Norfolk. Early in life Mr. Aufrere acquired a taste for German literature, and he translated and published the following works. A tribute to the memory of Ulric von Hutten, from Goethe, 1789. Travels through the kingdom of Naples in 1789, from the German of Saha, 1795. A warning to Britons against French perfidy and cruelty, or, a short account of the treacherous and inhuman conduct of the French officers and soldiers towards the peasants of Suabia, during the invasion of Germany in 1796, selected from well authenticated German publications, with an address to the people of Great Britain by the translator, 1798. On the 19th of February 1791, he married Matilda, youngest daughter of general James Lockhart, of Lee and Carnath in north Britain, a count of the holy Roman Empire, in consequence of which connexion he became the editor of the "Lockhart Letters," in 2 vols. 4to., containing much curious correspondence between the ancestors of that family, and the confidential supporters of the pretender,

previous to, and during the, rebellions of 1715 and 1745.

29. John Dunstan, esq., of Falmouth, a miser, leaving landed, household, and other property, to the amount of nearly 60,000*l.*

30. At Florence, in his 72d year, Gwyllyn Lloyd Wardle, esq., formerly M.P. for Oakhampton. This notorious personage was originally a colonel in the Welsh Fusiliers, with which regiment he served in Ireland during the rebellion of 1798. At the general election of 1807, he got into Parliament for Oakhampton, and in Jan. 1809, he attained no little popularity from his successful motion for inquiring into the conduct of the duke of York, in the office of commander-in-chief. Though the inquiry terminated with a majority of 278 to 176, in favour of the duke, yet the objects of faction were sufficiently answered, by the popular clamour which drove his royal highness, for a time, from his office. Colonel Wardle thereupon acquired a sudden and extraordinary popularity. Not six months, however, had elapsed before Mrs. Mary Ann Clarke, who had been the prime mover of his proceedings, broke off her acquaintance with him. An upholsterer prosecuted him for the expenses of furnishing the lady's house, and he was cast in several hundred pounds damages. By this circumstance his real motives and character were sufficiently exposed. However, he continued for a time to prosecute his military inquiries in the House of Commons; but, by degrees, the whole business faded away from the public mind, and the principal agent relapsed into obscurity. It was doubtless convenient for him to retain his seat in parliament as long as possible, which he did until the dissolution in 1812 but he was not elected a second time. He subsequently employed himself, for a time, in farming near Tunbridge in Kent, but was finally obliged to escape from his creditors by taking flight to the continent.

— At Bagshot Park, in his 59th year, his royal highness prince William Frederick of Brunswick Lunenburg, second duke of Gloucester and Edinburgh, and earl of Connaught (1764), K.G., G.C.B. G.C.H., a field-marshal, colonel of the 3d foot guards, governor of Portsmouth, ranger of Bagshot Park and Walk, chancellor of the university of Cambridge, lord high steward of Gloucester, a privy councillor, LL.D., F.R.S., F.S.A. &c.

DEATHS.—Dec.

His royal highness was born at Rome, Jan. 15, 1776; and was the third child, and only son of William Henry duke of Gloucester, third son of Frederick prince of Wales, by Maria, daughter of the hon. sir Edward Walpole, K.B., and widow of James earl of Waldegrave. On quitting Cambridge, where he completed his education, he entered the army. His first commission was that of captain in the first foot guards, with the rank of colonel, dated 11th March 1789; and in March 1794, went to Flanders where he was employed in the column under sir W. Erskine, who ordered his royal highness to attack the village of Vremont, in which he succeeded, and received the general's thanks in the field. He was immediately afterwards appointed to the command of the 115th regiment, and served as general officer the whole of the campaign. On Feb. 16, 1795, his royal highness received the rank of major-general; and Nov. 8, same year he was appointed colonel of the 6th regiment of foot. While major-general, he was appointed (1799) to the command of a brigade comprising two battalions of the 5th and two of the 35th, forming a part of the duke of York's army. On the 19th this brigade was attached to the column commanded by lieut.-general Dundas. In the course of the morning the whole of it was, by degrees, detached, excepting the 1st battalion 35th, with which, only 600 strong, his royal highness was called on to support the Russians. Finding that lieut.-general Hermann was made prisoner, and lieut.-general Gerebzooff killed, and that the command had devolved upon himself, the duke determined to attack the village of Schorel, from which he found major-general Manners's brigade was retreating, closely pursued by the enemy in great force. Prince William, covering the major general's retreat, ordered him to form in his rear, and with this reinforcement his royal highness advanced to the attack, carried the village and the wood skirting it, and, pursuing the enemy up the sand-hills, drove him back upon Bergen. His royal highness, on the 4th of October, made a rapid advance to Schermerhorn, Daendals having retired to Viemerut with the main Dutch army, 8,000 strong, abandoning three guns, which were consequently taken by his royal highness's brigade. On the 6th October the duke received orders to retreat; and, falling back, took up his

former position, in which he was attacked by general Daendals, with a force of 6,000 men. General Dumonceau, supporting general Bonhomme, was repulsed by six companies of the 35th, under colonel Massey, directed by his royal highness. At this moment Daendals, with 5,000 men, advanced upon the left towards a small work which had been out across to the depth of nine feet: his royal highness had scarcely 600 men to oppose this corps, and, being ordered to retire, effected his retreat without the loss of a single man, carrying off his guns, baggage, &c. On the 18th Nov. 1799, his royal highness received the rank of lieut.-general; April 25, 1808, that of general; May 26, 1809, he was appointed to the colonelcy of the 3d guards; and field-marshal, 1816. In 1805, on the death of his father, prince William succeeded to the title, and on the motion of lord Henry Petty (the present lord Lansdowne), who was then chancellor of the exchequer, his allowance was increased to 14,000*l.* a-year. In politics, until within the last few years, the duke generally voted with the whigs. His royal highness was elected chancellor of the university of Cambridge on the death of the late duke of Grafton. The election took place on the 26th of March 1811, when the votes given were, for the duke of Gloucester 476, for the duke of Rutland 356. He was installed on the 29th of June following. The marriage of the duke of Gloucester with the princess Mary, the fourth daughter of king George III., took place at the queen's palace, Buckingham house, on the 23d of July 1816. The funeral of his royal highness took place on the 11th Dec., and was conducted in a private manner.

Lately. At Edinburgh, Dr. David Scott, professor of Hebrew and Oriental languages in the University of St. Andrew.

— Philip Mallet Case, esq. of Testerton Hall, Norfolk.

— At Gainsborough, Thomas Waterhouse Kaye, esq. barrister, of the Middle Temple.

DECEMBER.

1. In South-street, Park-lane, the right hon. Elizabeth lady Kilmaine.

3. Aged 82, Jonathan Peel, esq. of Accrington House, uncle of the right hon. sir R. Peel, bart.

DEATHS.—Dec.

3. At Feuilleade's hotel, London, aged 46, the right hon. Pownoll-Bastard Pellew, second viscount Exmouth and baron Exmouth of Canonteign, county of Devon, and a baronet, a captain in the Royal Navy, and naval aide-de-camp to the king. He was the eldest son of the late distinguished admiral.

— On the 3rd of December, 1831, died at Croft, in the county of York, in the 78th year of his age, the rev. John Harrison, perpetual curate of Ash and Selley, Durham, and fellow of the Linnean Society. This distinguished botanist was a native of Maryport, in the county of Cumberland. In his 17th year he commenced the study of medicine, with the design of pursuing it as his profession. But abandoning it on account of ill health, afterwards entered holy orders. In 1787, he was ordained a deacon, and in the following year was appointed to the curacy of Basenethwaite, in his native county, and afterwards to that of Barnard Castle, in the county of Durham. In 1795, he removed to Egglestone, and afterwards to Gaisford, both in the same county. In 1808, he married Miss Ayre of King's Lynn, in the county of Norfolk. In 1813, he took the curacy of Long Horsely in Northumberland, and, afterwards, at the request of his diocesan, that of Houghton and Croxdale. In 1821, having previously resigned these engagements, he was inducted into the small perpetual curacies of Ash and Selley, which he held to the time of his decease. As a botanist and mineralogist he early became distinguished for the extent and accuracy of his researches; was elected a fellow of the Linnean Society, and had his acquaintance and correspondence sought for by the most eminent botanists of this and other countries, including amongst this number the late president of the Linnean Society, sir J. E. Smith, Withering, Sowerby, Hooker, &c. and professors Acharius and Swartz of Sweden, &c. By these and other eminent men of his time, he was frequently consulted, particularly on the order of Lichens.

6. At Glasgow, in his 43d year, the rev. Edward Irving, M.A. the celebrated preacher. This extraordinary man was born at Annan, in Dumfriesshire, and educated at the University of Edinburgh. In 1811, he was appointed to superintend the mathematical school

at Haddington, whence he was removed in 1812, to instruct the higher classes at Kirkcaldy. On being afterwards engaged by Dr. Chalmers as his assistant, in St. John's parish, Glasgow, he gained so much reputation, that on a vacancy occurring in the ministry of the Caledonian church, in Cross Street, Hatton Garden, he was invited to London, and took possession of the pulpit in August, 1822. Here he very soon attracted very large congregations, by the force and eloquence of his discourses, and, also, by the singularity of his appearance and gesticulation. The chapel was actually thronged by persons of rank and fashion, and the influx of strangers became so inconveniently numerous that it was found necessary to close the doors to the public in general and admit those only who had previously been furnished with tickets. But this extraordinary tide of popularity almost as quickly decreased after it had attained its height. The gay, the fashionable, and the learned world were not converted by the eloquence they went to admire as an exhibition of something wonderful, and which would supply them for a short time with a fresh theme of conversation. The reverend orator too, seemed on his part, to be more anxious of making a display, and exciting a sensation, than was altogether consistent with his sacred office. The peculiar characteristic of his style was a straining after originality of ideas, and the expressing them in the language of Milton, Jeremy Taylor, and the old divines; embellishing his discourses with the metaphors of poets and philosophers, and adding to the piquancy of his sentences by personal allusions and homely truths. Desirous of providing for him a handsomer church, Mr. Irving's more enthusiastic admirers raised a subscription for that purpose, and one was accordingly erected in Sidmouth Street, Regent Square. It was completed in 1829; but before that time had arrived, the preacher's popularity had nearly passed away: his eccentricities were become familiar, the curiosity of the novelty-hunters was completely satiated; and his more discreet admirers might perhaps feel that there had been somewhat of the appearance of abstergation in his career, if nothing of the reality of it. Besides this, the publication of his "Oracles of God," &c., proved that he had been more indebted to manner, and power

DEATHS.—Dec.

of delivery, than to ability of matter, or felicity of composition. Hardly was he established in his new pulpit, when his thirst for notoriety urged him to the adoption of more dangerous eccentricities. He was charged with heresy; and at a Meeting of the Presbytery of London, November 29, 1830, the report of the committee appointed to examine his work on "Christ's Humanity," was brought up and read. Mr. Irving was therein charged with holding Christ guilty of original and actual sin, and denying the doctrines of atonement. The further proceedings of ecclesiastical censure were prolonged for eighteen months, during which his religious errors were neither corrected nor modified; but, on the contrary, he proceeded to all the extravagance of the Unknown Tongues. At length the trustees of the church in Regent Square, completed his ejection on the 3rd of May, 1832. Mr. Irving was married to Miss Martin, of Kirkaldy, in 1823, and has left her a widow with several young children. In his private intercourse he was an amiable man; and his original powers, had they been prudently and consistently exercised, would, undoubtedly, have achieved a more desirable and more permanent fame than that of a 'nine day's wonder' of pulpit oratory, or a high priest of a wild set of enthusiasts. "The constitutional basis, and ground-work of his character," says Dr. Chalmers, "was virtue alone, and notwithstanding all his errors and extravagances, with both, injured him in the estimation of the world, and threw discredit upon much that was good and useful in his writings, I believe him to have been a man of deep and devoted piety. Besides the "Oracles of God," &c., before-mentioned, he published in 1827, "The Coming of the Messiah in Glory and Majesty, by Juan Josafat Ben Ezra, a converted Jew," translated from the Spanish, in which his heretical opinions were first betrayed; in 1828, "A Letter to the King on the Repeal of the Test and Corporation Acts," a measure he earnestly opposed; in the same year, "Last Days, and Discourses on the Evil character of these times," besides some sermons, lectures, &c.; "Church and State, responsible to each other, a Series of Discourses on Daniel's Vision of the Four Beasts," 1829; "Lectures on the Book of the Revelation," 1830; "The Orthodox and Catholic Doctrine

of our Lord's Human Nature," 1830. "The Day of Pentecost; or the Baptism with the Holy Ghost, in three parts," 1831. "The Confessions of Faith, and the Books of Discipline of the Church of Scotland."

10. In Throgmorton-street, aged 75, Alexander Chalmers, esq. F.S.A. A well-known literary character.

17. In Clarendon Square, at a very advanced age, Henry Bone, esq. R.A. an artist distinguished for his ability in enamel painting which branch of art he carried to a degree of excellence hitherto unknown in this country.

19. At Lea-hall, Yardley, within a few days of completing his 80th year, John Blount, esq. a justice of the peace for the county. He was for many years a medical practitioner in Birmingham. His extensive literary attainments, amiable disposition, and great urbanity of manners, acquired for him the esteem and affection of a very extensive acquaintance.

22. At his residence at Brighton, aged 80, Prince Hoare, esq. secretary to the Royal Academy, F.S.A. and M.R.S.L. This clever writer, who was born at Bath, in 1755, was the son of Mr. William Hoare, a painter, and one of the original members of the Royal Academy. He began his career as an artist under the instructions of his parent; came to London at the age of seventeen, as a student at the Royal Academy; and afterwards continued his professional education by visiting Rome in 1776, where he studied under Mengs, and had Fuseli, and Northcote among his companions. On returning to England, in 1780, he devoted himself for a while to the practice of his profession in London, but ill health compelled him to relinquish the arts, and for the recovery of his strength, he took a voyage to Lisbon. On his return he directed his attention to dramatic composition, and with such success, especially in small after pieces, that many of his productions still retain their popularity. His first attempt was a tragedy, entitled "Such Things Were," founded on the history of King's cruelty in the reign of James II.; and brought out at Bath, January 3, 1788; and in the same year, his lively and popular comic opera, "No Song No Supper," was first acted at Drury Lane. "The Prize;" "My Grandmother;" "Lock and Key," a musical farce; "Sighs, or the Daughter," from Kotze-

DEATHS.—Dec.

bue; "Indiscretion," a comedy, &c. &c. In consequence of being appointed in 1799, to the honorary post of foreign secretary to the Royal Academy, he published in 4to, 1802, "Extracts from a Correspondence with the Academies of Vienna and St. Petersburg, on the cultivation of Painting, Sculpture, and Architecture," a work afterwards continued at intervals under the title of "Academic Annals." To this succeeded in 1806, his "Inquiry into the requisite cultivation, and present state of the Arts of Design in England," and in 1809 and 1810, he edited in two volumes, 4to, "The Artist," a collection of Essays written chiefly by professional persons, and containing several papers by himself. A year or two afterwards he published another work on art, entitled "Epochs of the Fine Arts." Mr. Hoare was also author of a poem entitled "Love's Victims," and of a "Life of Granville Sharp." His last production was an "Essay on the moral power of Shakspeare's Dramas," read before the Royal Society of Literature, and printed in their transactions. With this elegant and thoughtful paper, he closed his literary career, establishing by arguments and facts, the indispensable union of moral truth, with dramatic and all literary excellence. Benevolence, integrity, and sincerity, distinguished Mr. Hoare no less than did his intellectual attainments; and they won him the respect and affection of the circles admitted to his intimacy. He bequeathed his library to the Royal Society of Literature. A likeness of him was published in 1814, in "Dance's Portraits."

29. At Brighton, Eleanor, widow of William Dawson, esq. for many years a magistrate for the West Riding of Yorkshire, and formerly Consul for Maryland; she was the daughter of the hon. Richard Lee, president of the last British Council for the State of Maryland.

31. At Gloucester, on her 81st birthday, Mrs. Phillpotts, mother of the bishop of Exeter, and of John Phillpotts, esq. M.P. She was mother of twenty-four children.

31. At Cirencester, aged 39, Mr.

Thomas Beverley, late of Brompton, near Scarborough, an able mathematician and astronomer.

— At Gloucester, at the advanced age of 100, Elizabeth Yates, widow. With the exception of her hearing, she was in the full enjoyment of her faculties.

— At Canterbury, aged 72, major-general George Ramsay, colonel commandant of the 4th Battalion of the Royal Artillery.

— At Bushfield, county of Kerry, aged 71, sir John Godfrey, the second baronet, of that place (1786).

— At the Mauritius, in consequence of injuries received during a violent hurricane, captain David Thompson, the well known computer and author of the Lunar and Horary Tables, and inventor of the longitude scale. The work which has brought captain Thompson's name into note among men of science, is his solution of the problem of clearing the apparent distance of the moon from other celestial bodies, from the effects of parallax and refraction—one of the most useful in nautical astronomy, and he received from the late celebrated baron de Zach, high commendation for his skill and success in this investigation, and from the late Board of Longitude a tardy acknowledgement of the high merit of his tables. All methods which solve this problem by approximative formulae being in some particular cases defective, captain Thompson undertook the arduous task of resolving the spherical triangle, for every case which can occur in practice. The correction to one of the approximative formulae which he adopted, was thus obtained, in every individual case. and these single results were classed in a table of triple entry, embracing all the cases which can possibly occur. The seaman takes out from the table the number required for each case, with great ease, and adds it to the calculated numerical value of the approximative formula, the defect of which captain Thompson's Table is intended to supply, and he thus obtains a perfectly correct solution. Captain Thompson also invented a scale adapted to the solution of the same problem, which is made use of by many mariners.

FINANCE ACCOUNTS

CLASS I. PUBLIC INCOME.

II. PUBLIC EXPENDITURE

III. DISPOSITION OF GRANTS.

PUBLIC INCOME OF THE UNITED KINGDOM,

HEADS OF REVENUE.	GROSS RECEIPT.	Repayments, Allowances, Discounts, Drawbacks, and Bounties in the Nature of Drawbacks, &c.
ORDINARY REVENUES.	£. s. d.	£. s. d.
Customs	18,575,182 15 9½	765,830 0 7½
Excise	18,658,037 2 0	904,624 19 10½
Stamps (including Hackney Coach, and Hawkers and Pedlars Licenses)	7,414,891 9 2½	284,508 2 0
Taxes, under the Management of the Commissioners of Taxes	5,116,754 10 5	5,684 4 2½
Post Office	2,294,911 7 8	104,729 16 10½
One Shilling in the Pound, and Sixpence in the Pound on Pensions and Salaries, and Four Shillings in the Pound on Pensions	28,769 6 1	.. ..
Crown Lands	424,553 3 2½	.. ..
Small Branches of the King's Hereditary Revenue	28,804 3 4	.. ..
Surplus Fees of Regulated Public Offices	26,183 8 2	.. ..
Poundage Fees, Pells' Fees, Casualties, Treasury Fees, in Ireland ..	3,029 16 0½	.. ..
TOTALS of Ordinary Revenues	52,571,116 14 11	2,066,377 3 6½
EXTRAORDINARY RESOURCES.		
Money received from the East-India Company, on account of Retired Pay, Pensions, &c. of his Majesty's Forces serving in the East Indies, per Act 4 Geo. 4, c. 71	60,000 0 0	.. ..
Balance of the Hereditary Revenue of his late Majesty George the Fourth in Scotland .....	.. ..	.. ..
Imprest Monies, repaid by sundry Public Accountants, and other Monies paid to the Public	15,610 10 0½	.. ..
Money received from the Bank of England on account of Unclaimed Dividends	25,115 14 8	.. ..
TOTALS of the Public Income of the United Kingdom	52,671,842 19 7½	2,066,377 3 6½

FOR THE YEAR 1834.

CLASS IV. PUBLIC FUNDED DEBT.

V. UNFUNDED DEBT.

VI. TRADE AND NAVIGATION.

FOR THE YEAR ENDED 5TH JANUARY, 1834.

NETT RECEIPT within the Year, after deducting REPAYMENTS, &c.	TOTAL INCOME, including BALANCES.	TOTAL Payments out of the Income, in its Progress to the Exchequer.	PAYMENTS into the EXCHEQUER.	BALANCES and BILLS Outstanding on 5th January, 1834	Rate per Cent for which the Gross Receipt was col- lected.
£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
17,809,352 15 2½	18,348,229 9 1½	1,685,508 0 0½	16,908,940 8 6½	453,781 0 7½	7 9 3
17,753,412 2 1½	18,403,669 4 11½	1,200,011 16 5	16,543,711 14 4½	659,945 14 2½	5 15 7½
7,130,383 0 2½	7,391,972 14 4	187,161 15 4	6,928,309 16 11	276,501 2 1	2 10 5½
5,111,070 6 2½	5,383,570 14 6	264,018 4 3½	4,892,058 9 7½	227,494 0 7½	4 14 7½
2,190,181 10 9½	2,356,975 16 0½	671,785 9 3½	1,513,800 0 0	171,390 6 9	27 14 11
28,769 6 1	30,568 8 6	522 15 5	28,098 12 0	1,047 1 1	1 16 3½
424,553 3 2½	512,416 17 3½	395,534 0 11½	.. ..	116,882 16 4½	6 11 11½
28,804 3 4	29,245 9 2	3,529 2 3	25,567 18 4	148 8 7	..
26,183 8 2	26,183 8 2	.. ..	25,183 8 2	.. ..	..
3,029 16 0½	3,029 16 0½	.. ..	3,029 16 0½	.. ..	..
50,505,739 11 4½	52,485,861 18 1½	4,408,071 3 11½	46,170,600 8 11½	1,907,190 10 3	6 15 5½
60,000 0 0	60,000 0 0	.. ..	60,000 0 0	.. ..	..
..
15,610 10 0½	15,610 10 0½	.. ..	15,610 10 0½	.. ..	..
25,115 14 8	25,115 14 8	.. ..	25,115 14 8	.. ..	..
50,605,465 16 0½	52,586,588 2 10	4,408,071 3 11½	46,271,926 8 7½	1,907,190 10 3	..

PUBLIC EXPENDITURE

Of the United Kingdom in the Year ended 5th January, 1834, exclusive of the Sums applied to the Reduction of the National Debt within the same Period.

EXPENDITURE.	—	—
<i>Payments out of the Income in its Progress to the Exchequer.</i>	£. s. d.	£. s. d.
Charges of Collection	3,560,693 4 43	
Other Payments	837,377 19 63	
Total Payments out of the Income, in its progress to the Exchequer		4,408,071 3 11½
<i>Funded Debt.</i>		
Interest and Management of the Permanent Debt	24,270,049 16 83	
Terminable Annuities	5,422,698 14 71	
Total Charge of the Funded Debt, exclusive of £5,977 4s. 5½d. the Interest on Donations and Bequests	29,742,736 11 43	
<i>Unfunded Debt.</i>		
Interest on Exchequer Bills	779,769 1 6	28,522,507 12 10½
Civil List	510,000 0 0	
Pensions	509,163 17 10½	
Salaries and Allowances	132,068 7 0	
Diplomatic Salaries and Pensions	211,696 11 11	
Courts of Justice	377,956 6 9	
Miscellaneous Charges on the Consolidated Fund	205,086 13 11	
Mint Establishment	14,534 10 0	
Bounties granted for the encouragement of Hemp and Flax in Scotland, per act 27 Geo. III. c. 13, s. 65	2,956 13 8	1,063,473 1 13
Army	5,590,061 18 83	34,894,051 17 11½
Navy	3,360,235 6 3	
Ordnance	1,314,806 0 0	
Miscellaneous, chargeable upon annual Grants of Parliament....	2,007,158 18 13	54,272,262 3 1
Surplus of Income paid into the Exchequer over Expenditure issued thereout.		40,166,314 1 0½
		1,513,083 11 63
		50,079,397 12 7

APPENDIX TO CHRONICLE A.

DISPOSITION OF GRANTS.

An Account showing how the MONIES given for the SERVICE of the United Kingdom of GREAT BRITAIN and IRELAND for the Year 1833, have been disposed of; distinguished under their several Heads; to 5th January 1834.

SERVICES.	SUMS			SUMS		
	Voted or Granted,			Paid.		
	£.	s.	d.	£.	s.	d.
NAVY	4,658,154	0	0	2,860,000	0	0
ORDNANCE	1,462,223	0	0	811,000	0	0
FORCES	6,654,818	3	6½	3,405,936	0	9½
To pay Mr. Marshall for 1,250 copies of his Digest of the Accounts and Papers presented to Parliament since 1799, for the use of the Members of the House of Commons, and for the Public Service	2,625	0	0	2,000	0	0
Towards defraying the Charge of Civil Contingencies; to the 31st day of March 1834	100,000	0	0	94,282	8	5½
To make good the Sum required to defray the Charge for Civil Contingencies; for the same time	40,000	0	0			
To defray the Charge of those Salaries of the Officers of the House of Lords and of the House of Commons, and of the Pensions for retired Officers of the two Houses which are paid at the Treasury, and also of the Amount which will be required in aid of the Fee Funds of the two Houses; for the year 1833	45,309	0	0	43,509	0	0
To defray the Expenses of the House of Lords and of the House of Commons; to the 31st day of March 1834	26,200	0	0	22,000	0	0
To make good the Deficiency of the Fee Fund, in the Department of his Majesty's Treasury; to the same time	39,800	0	0	30,996	0	0
To make good the Deficiency of the Fee Fund, in the Office of his Majesty's Secretary of State for the Home Department; for the same time	10,743	0	0	9,700	0	0
To make good the Deficiency of the Fee Fund, in the Department of his Majesty's Secretary of State for Foreign Affairs; for the same time	13,402	0	0	13,402	0	0
To make good the Deficiency of the Fee Fund, in the Department of his Majesty's Secretary of State for the Colonies; for the same time	12,275	12	3	9,000	0	0
To make good the Deficiency of the Fee Fund, in the Department of his Majesty's						

SERVICES.	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
most honourable Privy Council and Committee of Privy Council for Trade; for the same time	13,500	0	0	9,000	10	7
To defray the Expenses of Messengers attending the first Lord of the Treasury and Chancellor of the Exchequer, the four Patent Messengers of the Court of Exchequer, and various ancient Allowances to the Officers of that Court; for the same time	4,366	0	0	1,500	0	0
To defray the charge of the Penitentiary at Milbank; for the same time	8,600	0	0	413	0	0
To make good the Deficiency of the Fees in the Office of Registry of Slaves in the Colonies; for the same time	1,514	0	0	699	14	10
To defray the Salaries and other Expenses of the State Paper Office, the Office for the Custody of Records in the Tower, and the Office for the Custody of Records in the Chapter House, Westminster; for the same time	4,570	0	0	2,055	3	4
To defray the Expense of Printing Acts of Parliament, Bills, Reports, and other Papers, for the two Houses of Parliament; for the same time	56,000	0	0	18,382	17	0
To defray the Expenses of the Mint in the Coinage of Gold and Recoinage of Silver; for the same time	31,700	0	0	17,000	0	0
To defray the Expenses that may be incurred for Prosecution for Offences against the Laws relating to Coin; for the same time...	8,000	0	0	8,000	0	0
To defray the Expense of Law Charges; for the same time	15,000	0	0	5,000	0	0
The following SERVICES are directed to be paid without any Fee or other Deductions whatsoever:						
For defraying the CHARGE of the CIVIL ESTABLISHMENTS under-mentioned; viz.						
Of the Bahama Islands, and the incidental Charges attending the same; to the 31st day of March 1834	2,140	0	0	900	0	0
Of the Bermuda Islands; for the same time .	4,249	13	4	4,249	13	4
Of Prince Edward's Island; for the same time	3,220	0	0	1,200	0	0
Of Newfoundland; for the same time ...	12,861	0	0	1,000	0	0
Of the Settlements in Western Africa; to the 31st day of March 1834	17,393	16	0			
To defray the Charge of the Ecclesiastical Establishments of the British North American Provinces; to the 31st March 1834 .	18,700	18	6	8,000	0	0
To defray the Charges of the Settlement in Western Australia for the same time ...	6,290	19	6			

SERVICES.	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
To defray the Charge of the Establishment of the Indian Department in Upper and Lower Canada; for the same time ...	20,000	0	0	—		
To pay the Allowances and Expenses of the Barristers employed, in the year 1832, in revising Lists of Voters, under the Act of his present Majesty, for amending the Representation of the People of England and Wales ...	30,500	0	0	30,500	0	0
To defray the Estimated Expenses of the British Museum; for the year ending at Christmas 1833 ...	16,844	0	0	16,844	0	0
To defray the Expense of Works and Repairs of Public Buildings, and for Furniture and other Charges of Public Offices and Departments, for certain Charges for Lighting and Watching, and for the Maintenance and Repairs of Royal Palaces and Works in the Royal Gardens; to the 31st day of March 1834 ...	43,370	0	0	—		
To defray the Expense of completing certain Alterations and Additions to his Majesty's Palace at Brighton; to the same time ...	2,671	0	0	—		
To defray the Expense of Works and Repairs at the Harbour of Kingstown; to the same time ...	15,720	0	0	3,000	0	0
To defray the Expense of Works at Port Patrick Harbour; to the same time ...	2,499	0	0	2,499	0	0
To defray the Expense of Works at Donaghadee Harbour; to the same time ...	4,556	0	0	4,556	0	0
To defray the Expenses of the Holyhead and Liverpool Roads, and Holyhead and Howth Harbours; for one year, from the 5th day of April 1833 ...	3,951	0	0	3,951	0	0
To defray the Charge of the New Building at the British Museum; to the 31st day of March 1834 ...	34,000	0	0	—		
To defray the Expense of Repairs and Alterations at Windsor Castle; to the same time ...	40,000	0	0	—		
To defray the Charge of Interior Fittings for the New State Paper Office; to the same time ...	1,800	0	0	—		
To complete the Pier at Hobb's Point, near Pembroke; to the 31st day of March, 1834 ...	8,422	0	0	8,422	0	0
For the Charge of the Commissioners for Building additional Churches in the Highlands and Islands of Scotland ...	1,544	0	0	1,544	0	0
To defray the Expense of erecting a National Gallery; to the 31st day of March 1834 ...	10,000	0	0	—		
To defray the Charge of the Salary of the Lord Privy Seal; to the same time ...	2,000	0	0	1,000	0	0
To defray the contingent Expenses and Mes-						

SERVICES.	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
sengers' Bills in the Department of his Majesty's Treasury; to the same time ...	7,500	0	0	6,354	0	0
To defray the contingent Expenses and Messengers' Bills in the Department of his Majesty's Secretary of State for Foreign Affairs; to the same time ...	39,600	0	0	25,000	0	0
To defray the contingent Expenses and Messengers' Bills in the Department of his Majesty's Secretary of State for the Home Department; to the same time ...	6,284	0	0	4,000	0	0
To defray the contingent Expenses and Messengers' Bills in the Department of his Majesty's Secretary of State for the Colonies; to the same time ...	5,600	0	0	4,500	0	0
To defray the contingent Expenses and Messengers' Bills in the Department of his Majesty's most honourable Privy Council and Committee of Privy Council for Trade; to the same time ...	5,453	0	0	1,865	0	9
To defray the Charge of the Salaries and Allowances granted to certain Professors in the Universities of Oxford and Cambridge; to the same time ...	1,264	0	0	1,264	0	0
To pay the Salaries of the Commissioners of the Insolvent Debtors' Court, and of their Clerks, the contingent Expenses of the Court and Office, and also the Expenses attendant upon their Circuits; to the same time ...	12,300	0	0	6,500	0	0
To pay the Salaries of the Officers, and the contingent Expenses of the Office for the Registration of Aliens; to the same time .	1,583	0	0	1,000	0	0
To defray, in the year 1833, the Expenses of the Commissioners appointed to inquire into the Practice and Proceedings of the Superior Courts of Common Law ...	7,097	0	0	6,872	4	3
To pay, to the 31st day of March 1834, the Salaries and the Incidental Expenses of the Commissioners appointed on the part of his Majesty, under the Treaties with Foreign Powers for preventing the Illegal Traffic in Slaves ...	16,500	0	0	9,000	0	0
To pay the Salaries of his Majesty's Consuls General, Consuls and Vice-Consuls, and also the contingent Charges and Expenses connected with their Public Duties and Establishments; to the 31st day of March 1834 ...	78,075	0	0	43,609	13	8
To defray the Charge of the Salaries and the Contingent and Travelling Expenses of the Commissioners for inquiring into Charities; to the same time ...	13,150	0	0	10,687	10	0
To defray the Charge of retired Allowances or Superannuations to Persons formerly						

APPENDIX TO CHRONICLE.

SERVICES.	SUMS Voted or Granted.					
	£.	s.	d.			
employed in the Public Offices or Departments, or in the Public Service; to the same time	55,967	0	0			
To enable his Majesty to grant Relief, to the 31st day of March 1834, to Toulonese and Corsican Emigrants, Dutch Naval Officers, Saint Domingo Sufferers, American Loyalists, and others who have heretofore received from his Majesty, and who, for Services performed or Losses sustained in the British Service, have special Claims upon his Majesty's Justice and Liberality ...					5	
To defray the Expense of the National Vaccine Establishment; for the year 1833 ...	2,					
For the Support of the Institution called the Refuge for the Destitute; for the same time						
To defray the Expense of confining and maintaining Criminal Lunatics; to the 31st day of March 1833						
To defray, to the same time, the usual Allowances to Protestant Dissenting Ministers in England, poor French Refugee Clergy, poor French Refugee Laity, and sundry small Charitable and other Allowances to the Poor of Saint Martin's-in-the-Fields, and others	4,990	0	0		1,830	19 9
To defray the Charge of his Majesty's Foreign and other Secret Services; to the same time	39,400	0	0		5,550	0 0
To defray the Expense of confining, maintaining, and employing Convicts at Home and in Bermuda, and in providing Clothing for the Convicts who may probably be transported to New South Wales and Van Diemen's Land; to the same time ...	89,654	0	0		89,654	0 0
To defray the Expense of providing Stationery, Printing, and Binding for the several Departments of Government in England and Ireland, to the same time, and also for providing Paper for the Printing which may be ordered in the Session 1834 for the two Houses of Parliament	113,988	0	0		50,000	0 0
To defray the Expenses for the Support of captured Negroes and liberated Africans; to the 31st day of March 1834	25,000	0	0		—	
To defray the Charge of maintaining Convicts at New South Wales and Van Diemen's Land; to the same time	120,000	0	0		122,664	6 3
To defray the Expenses incurred under the direction of the Commissioners of Records; to the same time	8,000	0	0		8,000	0 0
For the Purchase of the Pensions granted by						

SERVICES.	SUMS Voted or Granted.	SUMS Paid.
	<i>£. s. d.</i>	<i>£. s. d.</i>
King Charles the Second to Colonel Fairfax, and his Heirs, for ever; and to the Heirs of Nicholas Yates, and their Heirs, for ever	3,646 13 9	—
In aid of the Expenses of a Voyage of Discovery to the Polar Regions, in the year 1833	2,000 0 0	—
To defray, to the 31st day of March 1834, the Charge of a Grant to Mr. Morton, on account of his invention of a Patent Slip...	2,500 0 0	2,500 0 0
To defray the Expense, in the year 1833, of paying the Fees due and payable to the Officers of the Parliament, on all Bills for continuing or amending any Acts for making or maintaining, keeping in repair or improving Turnpike Roads, which shall pass the two Houses of Parliament and receive the Royal Assent	5,000 0 0	4,977 16 3
On account of the Rideau Canal, and the Canals on the Ottawa; to the 31st day of March 1834	40,000 0 0	—
To defray the Charge of Salaries to Governors, Lieutenant-Governors and others in his Majesty's West-India Colonies; to the same time	14,567 0 0	14,567 0 0
To complete the external Repairs of Whitehall Chapel, and for the Repair, Painting, and other Works necessary for the Restoration of the interior of the same ...	2,630 0 0	—
To defray the Expense, in the year 1833, of the Commissioners appointed to inquire into the existing State of Municipal Corporations in Great Britain and Ireland ...	15,300 0 0	11,300 0 0
To defray, to the 31st day of March 1834, the Expenses of erecting Lighthouses on the eastern side of the Bahama Straits ...	10,000 0 0	—
In aid of Private Subscriptions for the Erection of School-houses for the Education of the Children of the Poorer Classes in Great Britain; to the 31st day of March 1834 ...	20,000 0 0	—
To defray Miscellaneous Charges for Scotland; from the 31st day of March 1833 to the 31st day of March 1834	57,227 6 4	16,528 3 9
For defraying the CHARGE of the following SERVICES in IRELAND:		
To enable the Lord Lieutenant of Ireland to issue money for the advancement of Education; to the 31st day of March 1834 ...	25,000 0 0	2,000 0 0
To defray the Expense of the Foundling Hospital in Dublin; to the same time ...	22,000 0 0	16,000 0 0
To defray the Expense of the House of In-		

SERVICES.	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
dustry in Dublin, the Lunatic Department, and the Three General Hospitals attached; ditto	19,609	0	0	15,000	0	0
To defray the Expense of the Hibernian Marine Society in Dublin; ditto ...	650	0	■	650	0	0
To defray the Expense of the Female Orphan House in Dublin; ditto	1,046	0	0	1,046	0	0
To defray the Expense of the Westmorland Lock Hospital; ditto	3,764	0	0	2,000	0	0
To defray the Expense of the Lying-in Hos- pital, Dublin, ditto	1,500	0	0	750	0	0
To defray the Expense of Dr. Stevens' Hos- pital; ditto	1,500	0	0	1,500	0	0
To defray the Expense of the Fever Hospital and House of Recovery, Cork-street, Dub- lin, ditto	3,800	0	0	3,800	0	0
To defray the Expense of the Hospital for In- curables, near Dublin; ditto	500	0	0	500	0	0
To defray the Expense of the Roman Catholic College, in Ireland; ditto	8,928	0	0	4,464	0	0
To defray the Expense of the Royal Dublin Society; ditto	5,300	0	0	5,300	0	0
To defray the Expense of the Royal Irish Academy; ditto	300	0	0	300	0	0
To defray the Expense of the Royal Hiber- nian Academy; to the 31st day of March 1834	300	0	0	—		
To defray the Expense of the Board of Cha- ritable Donations and Bequests; ditto ...	700	0	0	—		
To defray the Expense of the Royal Belfast Academical Institution; ditto	1,500	0	0	1,500	0	0
To defray the Expense of the Board of Works; ditto	17,600	0	0	2,000	0	0
To pay the Salaries and Expenses of the Chief and Under Secretaries to the Lord Lieutenant of Ireland, of the Privy Coun- cil Office, and of his Majesty's Printer in Ireland; same time	22,000	0	0	19,372	8	8
To defray the Charge of Salaries to Officers and Attendants of the Household of the Lord Lieutenant of Ireland, and certain other Officers and Services formerly charged on the Civil List in Ireland; to the same time	14,141	0	0	9,023	8	2
To defray the Charge of the Officers of the Vice Treasurer and Teller of the Exchequer of Ireland, to the same time	6,850	0	0	5,138	4	6
To defray the Expense of publishing Procla- mations and for printing Statutes in Ire- land; to the same time	4,100	0	0	2,336	7	■
To defray the Expense of Non-conforming and Protestant Dissenting Ministers in Ireland; to the same time	24,224	0	0	12,107	9	6

SERVICES.	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
To defray the Charge of Criminal Prosecutions in Ireland; to the same time ...	50,000	0	0	47,856	10	11
In aid of the Funds for the maintenance of the Police Departments of Dublin; to the same time ...	12,000	0	0	6,000	0	0
To defray the Expense of Public Works in Ireland; to the same time ...	3,276	0	0	2,176	0	0
To defray the Expense of Repairs at Dunmore Harbour; to the same time ...	4,000	0	0	—		
To defray the Expense of the Townland Survey of Ireland; to the same time ...	3,000	0	0	—		
To defray, to the 31st day of March 1834, the Expenses incurred in carrying on and completing certain Roads in the County of Galway ...	5,000	0	0	5,000	0	0
To pay, in the year 1833, the Annual Compensation to Sir Abraham Bradley King, late King's Stationer in Ireland, for losses sustained by him by reason of the Revocation of his Patent ...	2,500	0	0	2,500	0	0
To repay to Mr. Orpen, the Amount paid by him under the authority of the Act passed in the 55th year of the reign of his late Majesty King George the Third, c. 114, to the Consolidated Fund, on the intended purchase by him of the Office of one of the Six Clerks of the Court of Chancery in Ireland, and which purchase has not been completed ...	1,600	0	0	1,600	0	0
	14,620,487	3	2½	8,107,686	17	7½
To pay off and discharge Exchequer Bills, and that the same be issued and applied towards paying off and discharging any Exchequer Bills charged on the Aids or Supplies of the years 1832 or 1833, now remaining unpaid and unprovided for ...	25,896,600	0	0			
To pay off and discharge Exchequer Bills, issued pursuant to several Acts for carrying on Public Works and Fisheries, and for building additional Churches, outstanding and unprovided for ...	274,050	0	0			
To pay off and discharge Exchequer Bills issued						

SERVICES.	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
in pursuance of an Act passed in the 11th year of the reign of his late Majesty, for the payment of the Proprietors of £. 4 per Cent Annuities in England and Ireland, who signified their dissent to transferring such Annuities into £. 3 10s. per Cent Annuities, outstanding and unprovided for on the 5th day of January, 1833	1,582,000	0	0			
	27,752,650	0	0	25,602,600	0	0
	42,373,137	3	2½	33,710,286	17	7½

PAYMENTS FOR OTHER SERVICES,

Not being part of the Supplies granted for the Service of the Year.

	SUMS PAID to 5th January 1834.			Estimated further Payments.		
	£.	s.	d.	£.	s.	d.
Grosvenor Charles Bedford, Esq. on his Salary, for additional trouble in preparing Exchequer Bills, pursuant to Act 48 Geo. 3, c. 1	100	0	0	100	0	0
Expenses in the Office of the Commissioners for issuing Exchequer Bills, pursuant to Acts 57 Geo. 3, c. 31 and 124, and 3 Geo. 4, c. 86	4,000	0	0			
Expenses in the Office of the Commissioners for building additional Churches, pursuant to Act 58 Geo. 3, c. 45	3,000	0	0			
By Interest on Exchequer Bills:						
On £. 12,000,000, per Act 1 Will. 4, c. 11, s. 2	294,282	18	0			
13,616,600 - 1 & 2 Will. 4, c. 11, s. 14	44,586	4	2			
13,896,600 - 2 & 3 - - - - 94	172,827	12	10			
1,582,000 - 11 Geo. 4, c. 26 ..	103,303	5	0			
	622,100	0	0	100	0	0
				622,100	0	0
TOTAL Services not voted				622,200	0	0
Amount of Sums voted				42,373,137	3	2½
TOTAL Sums voted, and Payments for Services not voted				42,995,337	3	2½

WAYS AND MEANS

for answering the foregoing Services :

	£.	s.	d.
Sums to be brought from the Consolidated Fund, per Act 3 Will. 4, c. 18	6,000,000	0	0
- - - - - Ditto - - - 3 & 4 Will. 4, c. 96	6,000,000	0	0
East India Company, per Act 3 Will. 4, c. 1	60,000	0	0
Duty on Sugar - - - - - 3	3,000,000	0	0
Repayments by the Commissioners for issuing Exchequer Bills for carrying on Public Works and Fisheries in the United Kingdom	161,939	6	8
Interest on Land-tax redeemed by Money	20	1	6
Unclaimed Dividends, after deducting Repayments to the Bank of England for deficiency of Balance in their hands	25,115	14	8
Exchequer Bills voted in Ways and Means; viz.			
3 Will. 4, c. 2	£12,000,000	0	0
3 & 4 Will. 4, c. 25	15,752,650	0	0
	27,752,650	0	0
TOTAL Ways and Means	42,999,725	2	10
TOTAL Grants and Payments for Services not voted	42,995,337	3	2½
Surplus Ways and Means	4,387	19	7½

UNFUNDED DEBT.

AN Account of the UNFUNDED DEBT of GREAT BRITAIN and IRELAND, and of the Demands outstanding on 5th January, 1834.

Provided.		Unprovided.		TOTAL.	
£.	s. d.	£.	s. d.	£.	s. d.
-	-	28,384,700	0 0	28,384,700	0 0
6,934,695	11 0½	-	-	6,934,695	11 0½
341,554	-	-	-	341,554	0 1½
Total Unfunded Debt, and Demands outstanding		0	-	35,660,949	11 2½
Ways and Means	112	-	-	-	-
Surplus Ways and Means	11	-	-	-	-

Exchequer Bills to be issued to complete the Charge upon the Conso at 5th January 1834

Of GREAT BRITAIN and IRELAND, and the
DEBT.

	1. CAPITALS.			2. CAPITALS transferred to the Commissioners.			3. CAPITALS UNREDEEMED.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
GREAT BRITAIN.									
Debt due to the South Sea } at £. 3 per cent Company	3,662,784	8	6½	-	-	-	3,662,784	8	6½
Old South Sea Annuities Do.	3,497,870	2	7	-	-	-	3,497,870	2	7
New South Sea Annuities Do.	2,460,830	2	10	-	-	-	2,460,830	2	10
South Sea Annuities, 1751 Do.	523,100	0	0	-	-	-	523,100	0	0
Debt due to the Bank of England Do.	14,686,800	0	0	-	-	-	14,486,800	0	0
Bank Annuities, created in 1726.. Do.	849,144	0	0	444	1	0	848,699	19	0
Consolidated Annuities..... Do.	347,389,499	2	0½	748,923	9	0	846,640,505	14	0½
Reduced Annuities..... Do.	123,664,029	3	6	812,978	17	6	122,851,050	6	0
Total at £. 3 per cent..	496,733,987	0	5½	1,562,346	7	6	495,171,640	12	11½
Annuities at £. 3½ per cent. 1818..	12,218,850	12	1	316	4	7	12,218,434	7	6
Reduced Annuities do.	62,851,418	1	4	9,118	19	9	62,842,299	1	7
New 3½ per cent Annuities	137,488,501	10	3	8,088	14	3	137,480,412	16	0
Annuities created 1826, at 4 per cent.....	10,708,964	0	0	-	-	-	10,708,964	0	0
New £. 5 per cent Annuities	462,736	13	4	-	-	-	462,736	13	4
Great Britain.....	720,464,457	17	5½	1,579,870	6	1	718,884,387	11	4½
IN IRELAND.									
Irish Consolidated £. 3 per cent Annuities.	2,847,917	10	7	-	-	-	2,847,917	10	7
Irish Reduced £. 3 per cent Annuities	149,255	0	2	-	-	-	149,255	0	2
£. 3½ per cent Debentures and Stock	14,407,957	13	1	-	-	-	14,407,957	13	1
Reduced £. 3½ per cent Annuities	1,173,346	0	8	-	-	-	1,173,346	0	8
New 3½ per cent Annuities	11,558,389	2	6	-	-	-	11,558,389	2	6
Debt due to the Bank of Ireland, at £. 4 per cent.....	1,615,384	12	4	-	-	-	1,615,384	12	4
New £. 5 per cent Annuities	6,661	1	0	-	-	-	6,661	1	0
Debt due to the Bank of Ireland, at £. 6 per cent.....	1,015,384	12	4	-	-	-	1,015,384	12	4
Ireland.....	32,774,295	12	8	-	-	-	32,774,295	12	8
Total United Kingdom.....	753,238,753	10	1½	1,579,870	6	1	751,658,883	4	0½

The Act 10 Geo. IV. c. 27, which came into operation at the 5th July, 1829, enacts, That the Sum thenceforth annually applicable to the Reduction of the National Debt of the United Kingdom, shall be the Sum which shall appear to be the amount of the whole actual annual surplus Revenue, beyond the Expenditure of the said United Kingdom; And the following Sums have been accordingly received by the Commissioners to be applied to the reduction of the said Debt, including Sums on account of Donations and Bequests, viz.:—

ON ACCOUNT OF

	The Sinking Fund.			Donations and Bequests.		
	£.	s.	d.	£.	s.	d.
Applicable between						
5th April and 5th July, 1833	153,689	14	8	1,058	8	3
5th July and 10th October, 1833	371,785	15	4	4,028	13	7
10th October, 1833, and 5th January, 1834	375,483	4	8	3	6	5
5th January and 5th April, 1834.....	359,483	8	7	2,096	13	6
	1,260,442	3	3	8,187	0	9

APPENDIX TO CHRONICLE.

FUNDED DEBT.

CHARGE thereupon, at the 5th January, 1834.

CHARGE.

		IN GREAT BRITAIN.					
		£.	s. d.	£.	s. d.	£.	s. d.
Due to the Public Creditor.	Annual Interest on Unredeemed Capital	22,745,585	4 7½	1,155,299	1 10½		
	Long Annuities, expire 1860	1,192,566	4 0	42 19 3			
	Annuities per 4 Geo. 4, c. 22, do. 1867	585,740	0 0	—			
	Annuities per 10 Geo. 4, c. 24, expire at various periods ..	960,012	12 0	—			
	Annuities to the Trustees of the Waterloo Subscription Fund, per 59 Geo. 3, c. 34, expire 5th July, 1834	5,200	0 0	—			
	Life Annuities per 48 Geo. 3, c. 142, and 10 Geo. 4, c. 24	790,125	13 0	—			
	Tontines and other Life Annuities per various Acts. } English ..	22,042	7 9½	—			
		34,220	8 7	6,328	7 2		
		26,336,706	9 6	1,162,419	8 4½		
	Annual Interest on Stock transferred to the Commissioners for the Reduction of the National Debt, towards the Redemption of Land Tax, under Schedules C. D. 1 and D 2, 32 Geo. 3, c. 123	11,637	7 6½	—			
Management		271,352	14 10½	—			
Total Annual Charge		28,519,596	11 10½	1,162,419	8 4½	27,782,116	0 5½

ABSTRACT.

(* * Shillings and Pence omitted.)

	CAPITALS.		CAPITALS transferred to the Commissioners	CAPITALS unredeemed.	ANNUAL CHARGE.		
	£.	s. d.			Due to the Public Creditor	Management.	TOTAL.
Great Britain ..	720,464,457		1,579,870	718,821,387	26,348,343	271,352	28,619,695
Ireland	32,774,295		—	32,774,295	1,162,419	—	1,162,419
	753,238,752		1,579,870	751,595,682	27,510,762	271,352	27,782,115

	£.	s.	d.	DEFERRED ANNUITIES OUTSTANDING:	£.	s.	d.
* On account of Donations and Requests	206,646	19	11	Deferred Life Annuities, per 10 Geo. 4, c. 24	1,555	19	0
Do. of Stock unclaimed 10 years or upwards	252,890	14	10	Deferred Annuities for terms of years, per do.	20	0	0
Do. of Unclaimed Dividends	742,400	0	0	Payable to the Trustees of { in 1835.. 4,000 0 0			
	1,191,937	14	9	the Waterloo Fund, per { — 1836.. 2,000 0 0			
Do. of Land Tax, Schedules C. D 1; and D 2 ..	337,912	11	4	59 Geo. 3, c. 34..... { — 1837.. 2,900 0 0			
Total Stock transferred to and standing in the Names of the Commissioners on the 5th January 1834	1,579,870	6	1		17,475	19	0

TRADE OF THE UNITED KINGDOM.

An Account of the VALUE of IMPORTS into, and of EXPORTS from, the United Kingdom of GREAT BRITAIN and IRELAND:—Also, the Amount of the Produce and Manufactures of the United Kingdom Exported therefrom, according to the Real or Declared Value thereof.

YEARS ending 5th January.	VALUE OF IMPORTS, calculated at the Official Rates of Valuation.	VALUE OF EXPORTS, calculated at the Official Rates of Valuation.						VALUE of the Produce and Manufactures of the United Kingdom Exported therefrom, according to the Real or Declared Value thereof.
		Produce and Manufactures of the United Kingdom.		Foreign and Colonial Merchandise.		TOTAL EXPORTS.		
		£.	s.	d.	£.	s.	d.		£.	s.	d.
1832.....	49,713,889 11 6	60,683,933 8 4	10,745,071 11 3	71,429,004 19 7	37,163,647 13 10			
1833.....	44,586,241 15 0	65,026,702 11 0	11,044,869 17 0	76,071,572 8 0	36,444,524 18 7			
1834.....	45,952,551 6 5	69,989,359 13 8	9,833,753 10 2	79,823,093 3 10	39,667,347 8 5			

NAVIGATION OF THE UNITED KINGDOM.

NEW VESSELS BUILT.—Number of VESSELS, with the Amount of their TONNAGE, that were built and registered in the several Ports of the BRITISH EMPIRE, in the Years ending the 5th January 1832, 1833, and 1834, respectively.

	Year ending 5th Jan. 1832.		Year ending 5th Jan. 1833.		Year ending 5th Jan. 1834.	
	Vessels.	Tonnage.	Vessels.	Tonnage.	Vessels.	Tonnage.
United Kingdom.....	742	83,852	735	90,180	711	89,212
Isles Guernsey, Jersey, and Man	18	1,855	26	2,735	17	2,959
British Plantations	376	34,290	386	43,397	298	32,878
TOTAL	1,136	119,997	1,145	136,312	1,026	125,049

Note.—The Account rendered for the Plantations for the year ending 5th January 1833, is now corrected; and as several Returns from the Plantations are not yet received for the last year, a similar correction will be necessary when the next Account is made up.

VESSELS REGISTERED.—An Account of the Number of VESSELS, with the Amount of their TONNAGE, and the Number of MEN and BOYS usually employed in Navigating the same, that belonged to the several Ports of the BRITISH EMPIRE, on the 31st of December, in the Years 1831, 1832, and 1833, respectively.

	On 31st Dec. 1831.			On 31st Dec. 1832.			On 31st Dec. 1833.		
	Vessels.	Tonn.	Men.	Vessels.	Tonn.	Men.	Vessels.	Tonn.	Men.
United Kingdom	18,942	2,190,457	132,900	19,143	2,225,980	134,588	19,138	2,225,855	136,250
Isles Guernsey, Jersey, & Man	508	33,899	3,816	521	35,880	3,844	531	37,446	3,839
British Plantations	4,792	357,608	22,406	4,771	356,208	23,202	4,696	363,276	23,911
TOTAL	24,242	2,581,964	159,422	24,435	2,618,068	161,634	24,385	2,634,577	164,000

NAVIGATION OF THE UNITED KINGDOM.—*continued.*

VESSELS EMPLOYED IN THE FOREIGN TRADE.—An Account of the Number of VESSELS, with the Amount of their TONNAGE, and the Number of MEN and BOYS employed in Navigating the same (including their repeated Voyages), that entered Inwards and cleared Outwards, at the several Ports of the United Kingdom, from and to Foreign Parts, during each of the Three Years ending 5th January, 1834.

YEARS ending 5th January.	SHIPPING ENTERED INWARDS IN THE UNITED KINGDOM, From Foreign Parts.								
	BRITISH AND IRISH VESSELS.			FOREIGN VESSELS.			TOTAL.		
	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
1832	14,488	2,367,322	131,627	6,085	874,605	47,453	20,573	3,241,927	179,080
1833	13,372	2,185,980	122,594	4,546	639,979	35,399	17,918	2,825,959	157,993
1834	13,119	2,183,814	120,495	5,505	762,085	41,996	18,624	2,945,899	162,491
	SHIPPING CLEARED OUTWARDS FROM THE UNITED KINGDOM, To Foreign Parts.								
	BRITISH AND IRISH VESSELS.			FOREIGN VESSELS.			TOTAL.		
	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
1832	13,791	2,300,731	132,004	5,927	896,051	47,009	19,718	3,196,782	179,013
1833	13,292	2,229,269	128,293	4,391	651,223	34,834	17,683	2,880,492	163,127
1834	13,266	2,244,274	125,474	5,250	758,601	40,914	18,516	3,002,875	165,488

LIST OF GENERAL ACTS

Passed in the SECOND Session of the ELEVENTH Parliament of the United Kingdom of Great Britain and Ireland—IV & V Gul. IV.

IV & V WILL. IV.

- I. AN Act to explain and amend an Act of the last Session of parliament, for regulating the labour of children and young persons in the mills and factories of the united kingdom.
- II. An Act to apply certain sums to the service of the year 1834.
- III. An Act for raising the sum of fourteen millions by Exchequer bills, for the service of the year 1834.
- IV. An Act for the regulation of his Majesty's royal marine forces while on shore.
- V. An Act for continuing to his Majesty until the fifth day of July, 1835, certain duties on sugar imported into the United Kingdom, for the service of the year 1834.
- VI. An Act for punishing mutiny and desertion, and for the better payment of the army and their quarters.
- VII. An Act to repeal, at the period within mentioned, so much of an Act passed in the fifth year of the reign of his late majesty king George the third intituled an Act to alter certain rates of postage, and to amend, explain, and enlarge several provisions in an Act made in the ninth year of the reign of queen Anne, and in other Acts relating to the revenue of the Post Office, as authorizes the taking of certain rates of inland postage within his majesty's dominions in North America.
- VIII. An Act to amend an Act passed in the last session, for consolidating and amending the laws relative to jurors and juries in Ireland.
- IX. An Act to indemnify such persons in the united kingdom as have omitted to qualify themselves for offices and employments, and for extending the time limited for those purposes respectively, until the twenty-fifth day of March, 1835; to permit such persons in Great Britain as have omitted to make and file affidavits of the execution of indentures of clerks to attornies and solicitors, to make and file the same on or before the first day of Hilary term, 1835; and to allow persons to make and file such affidavits, although the persons whom they served shall have neglected to take out their annual certificates.
- X. An Act for continuing until the first day of June, 1836, the several Acts for regulating the turnpike roads in Great Britain, which will expire with the present or the next session of Parliament.
- XI. An act for continuing to his majesty until the fifth day of July, 1835, certain duties on offices and pensions for the service of the year 1834; and to appropriate any sums arising from the redemption of the land tax.
- XII. An Act to apply a sum of seven millions out of the consolidated fund, to the service of the year 1834.
- XIII. An Act to repeal so much of an Act of the last session of parliament, for the prevention of smuggling, as authorizes magistrates to sentence persons convicted of certain offences to serve his majesty in his naval service, and to alter and amend the said Act.
- XIV. An Act to repeal so much of the several Acts as authorizes the issuing any sums of money out of the consolidated fund, for the encouragement of the raising or dressing hemp or flax.
- XV. An Act to regulate the office of the receipt of his majesty's Exchequer at Westminster.
- XVI. An Act to abolish the office of recorder of the great roll, or clerk of the pipe in the Exchequer in Scotland.
- XVII. An Act to indemnify witnesses who may give evidence before the lords spiritual and temporal, on a bill for preventing bribery and corruption

and illegal practices in the election of members to serve in parliament for the borough of Warwick.

XVIII. An Act to indemnify witnesses who may give evidence before the lords spiritual and temporal on a bill to exclude the freemen of Liverpool from voting at the election of members of parliament for that borough.

XIX. An Act to repeal certain duties on inhabited dwelling houses.

XX. An Act to explain and amend an Act passed in the thirty-third year of the reign of his late majesty king George the second, to regulate the conveyance and sale of fish at first-hand.

XXI. An Act for amending certain provisions of an Act of the thirty-sixth of George the third, for regulating the buying and selling of hay and straw.

XXII. An Act to amend an Act of the eleventh year of king George the second, respecting the appointment of rents, annuities, and other periodical payments.

XXIII. An Act for the amendment of the law relative to the escheat and forfeiture of real and personal property holden in trust.

XXIV. An Act to alter, amend, and consolidate the laws for regulating the pensions, compensations, and allowances to be made to persons in respect of their having held civil offices in his majesty's service.

XXV. An Act to alter and extend the provisions of an Act passed in the eleventh year of the reign of his late majesty king George the fourth, for amending and consolidating the laws relating to the pay of the royal navy.

XXVI. An Act to abolish the practice of hanging the bodies of criminals in chains.

XXVII. An Act for the better administration of justice in certain boroughs and franchises.

XXVIII. An Act to amend the laws relative to marriages celebrated by Roman Catholic priests and ministers not of the Established Church, in Scotland.

XXIX. An Act for facilitating the loan of money upon landed securities in Ireland.

XXX. An Act to facilitate the exchange of lands lying in common fields.

XXXI. An Act for transferring certain annuities of four pounds per centum

per annum, into annuities of three pounds and ten shillings per centum per annum, and for providing for paying off the persons who may dissent to such transfer.

XXXII. An Act for reducing the tonnage rates payable in the port of London.

XXXIII. An Act to repeal so much of several Acts as require deposits to be made upon Teas sold at the sales of the East-India company.

XXXIV. An Act to repeal the laws relating to the contribution out of merchant seamen's wages towards the support of the royal naval hospital at Greenwich, and for supplying other funds in lieu thereof.

XXXV. An Act for the better regulation of chimney sweepers and their apprentices, and for the safer construction of chimneys and flues.

XXXVI. An Act for establishing a new Court for the trial of offences committed in the metropolis and parts adjoining.

XXXVII. An Act to prohibit any further lotteries under an Act passed in the first and second years of the reign of his present majesty, for the improvement of Glasgow.

XXXVIII. An Act to continue, under certain modifications, to the first day of August 1835, an Act of the third year of his present majesty, for the more effectual suppression of local disturbances and dangerous associations in Ireland.

XXXIX. An Act to give costs in actions of Quare impedit.

XL. An Act to amend an Act of the tenth year of his late majesty king George the fourth, to consolidate and amend the laws relating to friendly societies.

XLI. An Act to regulate the appointment of ministers to churches in Scotland erected by voluntary contributions.

XLII. An Act to facilitate the taking of affidavits and affirmations in the court of the vice-warden of the stannaries of Cornwall.

XLIII. An Act to authorize persons duly appointed to act as justices of the peace in the islands of Scilly, although not qualified according to law.

XLIV. An Act to regulate the conveyance of printed newspapers by post between the united kingdom, the British colonies, and foreign parts.

- XLV.** An Act to amend an Act of the present session, for altering and consolidating the laws for regulating the pensions and allowances to persons in respect of their having held civil offices in his majesty's service.
- XLVI.** An Act to amend an Act passed in the fifty-eighth year of king George the third, for establishing Fever Hospitals, and to make other regulations for relief of the suffering poor, and for preventing the increase of infectious fevers in Ireland.
- XLVII.** An Act for preventing the interference of the Spring Assizes, with the April Quarter Sessions.
- XLVIII.** An Act to regulate the expenditure of county rates and funds in aid thereof.
- XLIX.** An Act to amend and render more effectual two acts of the fifth and sixth years of the reign of his late majesty king George the fourth, relating to weights and measures.
- L.** An Act to amend an Act passed in the forty-ninth year of the reign of king George the third, for amending the Irish road acts.
- LI.** An Act to amend the laws relating to the collection and management of the revenue of Excise.
- LII.** An Act to amend an act of the twentieth year of his majesty king George the second, for the relief and support of sick, maimed, and disabled seamen, and the widows and children of such as shall be killed, slain, or drowned in the merchant service; and for other purposes.
- LIII.** An Act to continue for one year, and from thence to the end of the then next session of parliament, several acts relating to the importation and keeping of arms and gunpowder in Ireland.
- LIV.** An Act to continue for five years, from the fifth day of April, 1835, and to amend the acts for authorising a composition of assessed taxes.
- LV.** An Act to amend three acts, made respectively in the seventh year of the reign of his late majesty king George the fourth, and in the first and second years, and in the second and third years of the reign of his present majesty, for the uniform valuation of lands and tenements in the several baronies, parishes, and other divisions of counties in Ireland; and to provide for the more effectual levy of grand jury cess.
- LVI.** An Act to continue for one year, and from thence to the end of the then next session of parliament, the acts for the relief of insolvent debtors in Ireland.
- LVII.** An Act to repeal the stamp duties on almanacks and directories, and to give other relief with relation to the stamp duties in Great Britain and Ireland respectively.
- LVIII.** An Act for raising the sum of fourteen millions, three hundred and eighty-four thousand, seven hundred pounds, by Exchequer bills, for the service of the year 1834.
- LIX.** An Act to extend the term of an act of the first and second years of his present majesty, for ascertaining the boundaries of the forest of Dean, and for inquiring into the rights and privileges claimed by free miners of the hundred of Saint Briavel's, to the twenty-first day of January, 1835, and from thence to the end of the then next session of parliament.
- LX.** An Act to amend the laws relating to the land and assessed taxes, and to consolidate the boards of stamps and taxes.
- LXI.** An Act for the more effectually providing for the erection of certain bridges in Ireland.
- LXII.** An Act for improving the practice and proceedings in the Court of Common Pleas, of the county Palatine, of Lancaster.
- LXIII.** An Act to defray the charge of the pay, clothing, and contingent, and other expenses of the disembodied militia in Great Britain and Ireland; and to grant allowances in certain cases to subaltern officers, adjutants, paymasters, quartermasters, surgeons, assistant surgeons, surgeons' mates, and serjeant majors of the Militia, until the first day of July, 1835.
- LXIV.** An Act to suspend until the end of the next session of parliament the making of lists, and the ballots, and enrolments for the Militia of the United Kingdom.
- LXV.** An Act for the more effectual administration of justice at Norfolk Island.
- LXVI.** An Act for empowering the commissioners of his majesty's woods, forests, land revenues, works, and buildings to pay the net proceeds of the tolls of the Menai and Conway Bridges, into the receipt of his ma-

- jesty's Exchequer at Westminster, to the account of the consolidated Fund.
- LXVII.** An Act for abolishing capital punishment in case of returning from transportation.
- LXVIII.** An Act to authorize an advance out of the general fund of monies belonging to the suitors of the Courts of Chancery and Exchequer in Ireland, towards the purchasing of ground, and building thereon offices necessary to the courts of justice in Dublin.
- LXIX.** An Act for placing the Mumbles Head lighthouse, in the county of Glamorgan, under the management of the corporation of the Trinity House of Deptford Strond.
- LXX.** An Act to regulate the salaries of the officers of the House of Commons, and to abolish the sinecure offices of principal committee clerks, and clerks of ingrossments.
- LXXI.** An Act to repeal certain provisions of two acts of his majesty king George the third, affecting the printers, publishers, and proprietors of Newspapers in Ireland:
- LXXII.** An Act to amend several acts for authorizing the issue of Exchequer bills for carrying on public works and fisheries and employment of the poor; and to authorize a further issue of Exchequer Bills for the purposes of the said acts.
- LXXIII.** An Act to grant relief from the duties of assessed taxes in certain cases.
- LXXIV.** An Act to continue until the fifth day of March, 1835, and from thence to the end of the then next session of parliament, an act of the fifty-fourth year of his majesty king George the third, for rendering the payment of creditors more equal and expeditious in Scotland.
- LXXV.** An Act to repeal the duties on spirits made in Ireland, and to impose other duties in lieu thereof; and to impose additional duties on licences to retailers of spirits in the United Kingdom.
- LXXVI.** An Act for the amendment and better administration of the laws relating to the poor in England and Wales.
- LXXVII.** An Act for repealing the duties on starch, stone bottles, sweets or made wines, Mead or Metheglin, and on scaleboard made from wood.
- LXXVIII.** An Act for the amendment of the proceedings and practice of the High Court of Chancery in Ireland.
- LXXIX.** An Act to amend the law relating to insolvent debtors in India.
- LXXX.** An Act to provide for the repayment to the governor and company of the Bank of England, of one fourth part of the debt due from the public to the said company, in pursuance of an act passed in the last session of parliament.
- LXXXI.** An Act to amend an act of the third year of king George the fourth, for regulating turnpike roads in England, so far as the same relates to the weights to be carried upon waggons with springs.
- LXXXII.** An Act to amend and extend an act of the second year of his present majesty, to effectuate the service of process issuing from the Courts of Chancery, and Exchequer in England and Ireland.
- LXXXIII.** An Act to amend an act passed in the third year of his present majesty, intituled an act for shortening the time required in claims of Modus Decimandi, or exemption from or discharge of tithes.
- LXXXIV.** An Act to apply a sum of money out of the consolidated fund, and the surplus of grants to the service of 1834, and to appropriate the supplies granted in this session of parliament.
- LXXXV.** An Act to amend an act passed in the first year of his present majesty, to permit the general sale of beer and cider by retail in England.
- LXXXVI.** An Act to explain certain provisions in an act of the third and fourth years of his present majesty, to provide for the election of magistrates and councillors, for the several burghs and towns of Scotland, which now return or contribute to return members to parliament, and are not royal burghs.
- LXXXVII.** An Act to explain certain provisions of an act of the third and fourth years of the reign of his present majesty, to alter and amend the laws for the election of the magistrates and councils of the royal burghs in Scotland.
- LXXXVIII.** An Act for the more effectual registration of persons en-

titled to vote in the election of members to serve in parliament in Scotland.

LXXXIX. An Act to amend the laws relating to the customs.

XC. An Act to amend an act made in the third and fourth year of the reign of his present majesty, intituled 'an act to alter and amend the laws relating to the temporalities of the church of Ireland.

XCI. An Act to continue for one year, and from thence to the end of the then next session of parliament, the several acts for regulating the turnpike roads, which will expire during the present, or before the end of the next session of parliament, and to amend the several acts regulating the post roads, in Ireland.

XCII. An Act for the abolition of fines and recoveries, and for the substitution of more simple modes of assurance in Ireland.

XCIII. An Act to amend the laws relating to appeals against summary convictions before justices of the peace in Ireland.

XCIV. An Act to enable his majesty to invest trading and other companies with the powers necessary for the due conduct of their affairs, and for the security of the rights and interests of their creditors.

XCV. An Act to empower his majesty to erect South Australia into a British province or provinces, and to provide for the colonization and government thereof.

XCVI. An Act to enable the commissioners of sewers for the city and liberty of Westminster, and part of the county of Middlesex to make a new sewer at Bayswater in the county of Middlesex.

LOCAL AND PERSONAL ACTS,

Declared public, and to be judicially noticed.

i. An Act to empower the Liverpool Oil Gas Light Company to produce Gas from Coal and other materials, and to amend the Act relating to the said company.

ii. An Act to alter, amend, and enlarge the powers of an Act passed in the ninth year of the reign of his late Ma-

jesty King George the fourth, intituled an Act for making and maintaining a railway or tramroad from or near the city of Bristol to Coalpit Heath in the parish of Westerleigh in the county of Gloucester.

iii. An Act to enlarge and amend the powers and provisions of an Act relating to the Saint Helen's and Runcorn Gap railway company.

iv. An Act for building a bridge over Stoke otherwise Hasler Lake, which separates Gosport from Haslar, both in the parish of Alverstoke in the county of Southampton, and for making approaches thereto.

v. An Act for better assessing the poor and other rates on small tenements within the parish of Sulcoates in the East Riding of the county of York.

vi. An Act to repeal an Act passed for better assessing and recovering the poor and other rates upon small tenements within the parish of Liverpool in the county Palatine of Lancaster.

vii. An Act to alter, amend, enlarge, and extend the powers and provisions of an Act for enabling the company of proprietors of Lambeth Waterworks to supply the inhabitants of the parish of Lambeth and parts adjacent in the county of Surrey with water.

viii. An Act for removing the markets held in the High and Fore Street, and other places within the city of Exeter and for providing other markets in lieu thereof.

ix. An Act for enabling the Ocean Assurance Company to sue and be sued in the name of the chairman for the time being, or of any one of the directors of the said company.

x. An Act for more effectually repairing and maintaining the road from Crouch Hill in the parish of Henfield to Ubley's Corner in the parish of Albourne, and from the King's Head Inn in Albourne, through the town of Hurstperpoint, to the cross-roads in the town of Ditcheling; and also for making and maintaining a branch of road from the town of Hurstperpoint to Poyning's Common, all in the county of Sussex.

xi. An Act for making a turnpike road from Minsterley in the county of Salop to the turnpike road leading from Bishop's Castle in the said county of Salop to Churchstoke in the county of Montgomery.

xii. An Act to enable the company of

- proprietors of the Calder and Hebble navigation to improve their navigation, and to amend the Acts relating thereto.
- xiii. An Act for extending the approaches to London Bridge, and amending the Acts relating thereto.
- xiv. An Act for granting certain powers to the New Brunswick and Nova Scotia Land Company.
- xv. An Act for granting certain powers to the British American Land Company.
- xvi. An Act for better paving, cleansing, lighting, watching, watering, and otherwise improving the streets and other public passages and places within the borough of Dorchester, in the county of Dorset, and the tithing of Colliton Row, in the town of Dorchester aforesaid.
- xvii. An Act to alter, amend, and enlarge the powers of an Act passed in the sixth year of the reign of his late majesty king George the fourth, intituled an Act for supplying the city and suburbs of Limerick in the county of the city of Limerick with water.
- xviii. An Act for better supplying with water the town and county of the town of Newcastle-upon-Tyne, and the neighbourhood thereof.
- xix. An Act to alter, amend, and enlarge the powers of an Act passed in the first year of the reign of his present majesty king William the fourth, intituled an Act for empowering the marquis of Bute, to make and maintain a ship canal, commencing near the mouth of the river Taff in the county of Glamorgan, and terminating near the town of Cardiff, with other works to communicate therewith.
- xx. An Act for enabling the company of proprietors of the Western Branch of the Montgomeryshire Canal to effect an agreement with William Pugh of Bryan Llywarch in the county of Montgomery, esquire; and for securing certain monies advanced and paid by the said William Pugh and others, to or for the use of the said company.
- xxi. An Act to enable the Birmingham and Liverpool Junction Canal Navigation Company to raise a further sum of money.
- xxii. An Act to continue the term and to alter and amend the powers of an Act passed in the fifty-fifth year of the reign of His Majesty King George the Third, for taking down and rebuilding Folly Bridge, otherwise Friar's Bridge, across the river Isis, in or near the city of Oxford.
- xxiii. An Act for uniting into one parish the parishes of Saint John the Baptist and Saint Benedict in the town of Glastonbury in the county of Somerset.
- xxiv. An Act to incorporate a company for better supplying with gas the town of Cambridge in the county of Cambridge.
- xxv. An Act for uniting the Wigan Branch Railway Company and the Preston and Wigan Railway Company; for authorizing an alteration to be made in the line of the last-mentioned railway; and for repealing, altering, and amending the Acts relating to the said railways.
- xxvi. An Act for making and maintaining a railway from Blaydon to Hebburn, with six branches thereout, all within the county palatine of Durham.
- xxvii. An Act for enabling the Dublin and Kingstown Railway Company to make an extension of their present line of railway, and for altering and amending the Act for making the said railway.
- xxviii. An Act for repairing and improving the Second District of the Road from Coleshill, through the city of Lichfield and the town of Stone, to the end of the county of Stafford in the Road leading towards Chester, and making a new branch thereto; and also to annex to and consolidate therewith the turnpike-road from Rugeley, through Armitage, to Alrewas in the county of Stafford.
- xxix. An Act for more effectually amending, widening, and repairing the road from Yarmouth Bridge, through the hamlet of Southtown otherwise Little Yarmouth, to Gorleston in the county of Suffolk.
- xxx. An Act for the better maintenance, improvement, and repair of the road from Livingston, by Shotts, to the city of Glasgow, and the making and maintaining certain roads connected therewith.
- xxxi. An Act for improving and maintaining certain roads in the counties of Montgomery, Merioneth, Salop, and Denbigh.
- xxxii. An Act for repairing and maintaining the road from Quebec in the parish of Leeds in the West Riding of the county of York, to Homefield Lane End in the same parish with a bridge

- or bridges on the line of such road ; and for making and maintaining certain branch roads to communicate therewith.
- xxxiii. An Act for lighting with gas the town or borough of Bridgewater in the county of Somerset, and suburbs of the said town or borough.
- xxxiv. An Act to repeal an Act passed in the sixth year of the reign of his late majesty king George the fourth, intituled An Act for enabling the Alliance Marine Assurance Company to sue and be sued in the name of the chairman for the time being, or of any other member of the company, and for granting certain powers to the said company instead thereof.
- xxxv. An Act to enable the proprietors or shareholders in a company or association styled, The United Kingdom Life Assurance Company, to sue and be sued in the name of one of their directors, or secretary.
- xxxvi. An Act to enable The Suffolk and General Country Amicable Insurance Office to sue and be sued in the name of one of their treasurers, or of any one of their directors, and for other purposes relating thereto.
- xxxvii. An Act to amend an Act of the fifty-fourth year of king George the third, for enabling The West of England Fire and Life Insurance Company to sue and be sued in the name of their secretary, and to give further powers to the said company.
- xxxviii. An Act to incorporate the subscribers to St. George's Hospital, at Hyde Park Corner, and for better enabling them to carry on their charitable designs.
- xxxix. An Act to alter and amend an Act of the ninth year of the reign of his late majesty, intituled An Act for more effectually repairing several roads leading through the county of Selkirk, and for better making and repairing the said roads, and other roads in the said county and in the vicinity thereof.
- xl. An Act to repeal an Act of the forty-ninth year of king George the third, for the more easy and speedy recovery of Small Debts within the parish of Merth Tydvil and other places therein mentioned, in the counties of Glamorgan, Brecon, and Monmouth.
- xli. An Act for extending the time for completing the Wishaw and Coltness railway in the county of Lanark.
- xlii. An Act for better supplying the borough of Dudley in the county of Worcester, and the neighbourhood thereof, with water.
- xliii. An Act for improving the port and harbour of Abernethy, in the county of Glamorgan.
- xliv. An Act to provide for lighting the suburbs of the city of Gloucester with gas.
- xlv. An Act for erecting, establishing, and maintaining a market in the parish of St. George the Martyr, in the borough of Southwark, in the county of Surrey.
- xlvi. An Act for building a bridge over the water from the town and county of the town of Poole, to the parish of Hanworthy in the county of Dorset, with an approach thereto.
- xlvii. An Act for lighting, watching, cleansing, paving, and otherwise improving the town of Chippenham, in the county of Wilts.
- xlviii. An Act for preserving and maintaining the piers and harbour of Cromarty.
- xlix. An Act for removing the markets held in the town and borough of Monmouth, in the county of Monmouth, and for providing other market places in lieu thereof.
- i. An Act to amend two acts passed in the ninth and tenth years of his late majesty, king George the fourth, for building a bridge over the river Thames at Staines, in the county of Middlesex, and for making proper approaches thereto.
- ii. An Act for deepening, extending, and improving the navigation of the river Dart, from Totnes Bridge to Langham Wood Point, in the county of Devon.
- iii. An Act for better lighting the city of Gloucester and its suburbs with gas, and for enlarging the capital of the Gloucester gas light company.
- liii. An Act for making a navigable canal from the Bridgewater and Taunton canal, in the parish of Creech Saint Michael, in the county of Somerset, and terminating in the parish of Chard, in the same county, with a collateral cut therein described.
- liv. An Act to enable the Gloucester and Berkeley Canal Company to take water from the river Froome, and to alter and enlarge the powers of the several acts for making and maintaining the said canal.
- lv. An Act to enable the Grand Junc-

- tion Railway Company to alter and extend the line of such railway, and to make a branch therefrom to Wolverhampton, in the county of Stafford ; and for other purposes relating thereto.
- lvi. An Act to enable the Hartlepool Dock and Railway Company to make a new branch of railway to the city of Durham ; and for amending an act of the second year of his present majesty, relative to the Hartlepool railway.
- lvii. An Act for making and maintaining a railway from the Hartlepool railway near to Moorsley to the Stanhope and Tyne railroad in the township of Usworth, all in the county of Durham.
- lviii. An Act to alter and amend an Act passed in the seventh year of the reign of his late majesty, king George the fourth, for paving, lighting, watching, and otherwise improving Grosvenor-place, and several streets and other public places in the parishes of Saint George, Hanover-square, and Saint Luke, Chelsea, in the county of Middlesex.
- lix. An Act for repairing and maintaining the road from Stafford to Church Bridge, and the road from Stafford to Uttoxeter, in the county of Stafford, and also the road from Stafford to Newport, in the county of Salop.
- lx. An Act for more effectually repairing certain roads from Scaddow Gate, in the parish of Ticknall, to the Burton-upon-Trent and Ashby road, and for making new branches of road, in the counties of Derby and Leicester.
- lxi. An Act for more effectually making, amending, widening, repairing, and maintaining certain roads and bridges in the counties of Dumbarton and Stirling.
- lxii. An Act for supplying with water the inhabitants of the town and parish of Brighthelmston, and the parishes of Hove and Preston, in the county of Sussex.
- lxiii. An Act for more effectually draining and preserving certain fen lands and low grounds in the parishes of Stoke Ferry, Northwold, Wretton, Wereham, West Dereham, Wroxham, Fordham, Denver, Downham Market, Wimbotsham, and Stow Bardolph, in the county of Norfolk.
- lxiv. An Act for embanking, draining, and otherwise improving lands in the parishes of Holbeach and Gedney, in the county of Lincoln.
- lxv. An Act for establishing a general cemetery in the neighbourhood of the city of Dublin.
- lxvi. An Act for establishing a market within the town of Fishguard, in the county of Pembroke.
- lxvii. An Act to alter and amend an Act passed in the eleventh year of the reign of his late majesty, and first year of the reign of his present majesty, intituled an Act for enlarging, improving, and maintaining the port and harbour of Perth, for improving the navigation of the river Tay to the said city, and for other purposes therewith connected.
- lxviii. An Act for making and maintaining a railway from Hayle, in the parish of Saint Erth, in the county of Cornwall, to Tresavean Mine, in the parish of Gwennap, in the said county, with several branches therefrom.
- lxix. An Act to encourage the working of mines and quarries in Ireland, and to regulate a joint stock company for that purpose, to be called "The West Cork Mining Company."
- lxx. An Act to enable the Carmarthen-shire Railway or Tramroad Company to raise a further sum of money, and to amend the Act relating to the said company.
- lxxi. An Act to enable the Edinburgh and Dalkeith Railway Company to make a branch from the said railway to the town of Dalkeith, and to extend the Leith branch of the said railway, and for other purposes relating thereto.
- lxxii. An Act for making and for more effectually maintaining and repairing certain roads in the county of Lanark, and for building a bridge over the river Clyde, at Crossford in the said county.
- lxxiii. An Act for more effectually repairing certain roads from Kingsbridge to Dartmouth, and for making new branches to and from the same, all in the county of Devon.
- lxxiv. An Act for amending, varying the tolls, and extending the term of an Act of the fifty-ninth year of his late majesty, king George the third, for amending and keeping in repair the mail-coach-road leading from Banbridge, in the county of Down, to Belfast, in the county of Antrim.
- lxxv. An Act for making the hamlet of Hammersmith, within the parish of Fulham, in the county of Middlesex, a

distinct and separate parish; and for converting the perpetual curacy of the church of Saint Paul, Hammer-smith, into a vicarage, and for the endowment thereof.

lxxvi. An Act for continuing certain Acts for regulating the police of the city of Edinburgh and the adjoining districts, and for other purposes relating thereto.

lxxvii. An Act for more effectually enforcing the due execution of the office of constable in the city of London and liberties thereof.

lxxviii. An Act to alter, amend, enlarge, and extend, the powers and provisions of several Acts for enabling the Company of Proprietors of the South London Waterworks to supply the inhabitants of the parish of Saint Giles, Camberwell, and parts of the parish of Saint Mary's Lambeth, and several other parishes and places in the county of Surrey with water; and to enable the said Company to supply the inhabitants of the several parishes of Saint Mary, Lambeth; Saint Mary, Newington; Saint George the Martyr, Saint Saviour, Saint John, Saint Thomas, Saint Olive, and Christchurch, all in the said county, with water.

lxxix. An Act for better supplying with water the borough of Southwark, and parishes and places in the county of Surrey near thereto.

lxxx. An Act for erecting and maintaining a new gaol and court-house and other offices for the burgh of Elgin and the county of Elgin and Forres; and for erecting and maintaining a new gaol and court-house and other offices for the burgh of Forres; and for other purposes relative thereto.

lxxxi. An Act for erecting and maintaining a gaol for the royal burgh of Dundee, in the county of Forfar.

lxxxii. An Act to amend and enlarge the powers of an Act passed in the second year of the reign of his present majesty, intitled an Act for granting certain powers to a company called the General Steam Navigation Company.

lxxxiii. An Act for taking down and removing Old Stratford Bridge over the river Ouse in the counties of Buckingham and Northampton, and for erecting a more commodious bridge in lieu thereof.

lxxxiv. An Act to amend an Act

passed in the fourth year of the reign of his late majesty, king George the fourth, intitled an Act for the erection of a bridge across the river Shannon, and of a floating dock to accommodate sharp vessels frequenting the port of Limerick.

lxxxv. An Act for establishing a floating bridge over the river Itchen, from, or near, a place called Cross House, within the liberties of the town of Southampton, to the opposite shore, in the county of Southampton, with proper approaches thereto, and for making roads to communicate therewith.

lxxxvi. An Act for constructing and maintaining a new harbour at Stotfield Point, near to, and in conjunction with, the old harbour of Lissiemouth, in the county of Ligin and Fries.

lxxxvii. An Act to extend the powers of the several Acts now in force for improving the port and harbour of Boston, in the county of Lincoln.

lxxxviii. An Act for making a railway from London to Southampton.

lxxxix. An Act to continue, alter, and amend an Act of the fourth year of the reign of his late majesty, king George the fourth, for more effectually repairing and improving the Middlesex and Essex turnpike roads; to provide for the rebuilding of Bow Bridge, in the counties of Middlesex and Essex, the improving of the several other bridges upon the said roads, and for other purposes relating thereto.

xc. An Act for paving, watching, lighting, regulating, and otherwise improving the town of Kingstown, in the county of Dublin.

xc. An Act for regulating and converting the statute labour in the stewardry or sheriffdom of Orkney, and for more effectually making, repairing, and maintaining the high roads and bridges within the same.

xcii. An Act for amending the proceedings and practice of the Court of Passage of the borough of Liverpool, in the county Palatine of Lancaster.

xciii. An Act to amend and explain an Act passed in the first year of his present majesty, for establishing and maintaining the harbour of Port Crommelin, in the Bay of Cushendun, in the county of Antrim.

xciv. An Act for making, improving, and keeping in repair the roads leading from Barrington to Campfield

280 ANNUAL REGISTER, 1834.

and Enslow Bridge, in the county of Oxford.

xcv. An Act for better paving, cleansing, lighting, and improving the waterside division of the parish of Saint Mary Magdalen, Bermondsey, in the county of Surrey.

xcvi. An Act for incorporating certain

persons for the carriage of goods and commodities by means of a railway from the city of Durham to Sunderland, near the sea, with a branch to join the Hartlepool railway in the township of Haswell, all in the county of Durham.

APPENDIX TO CHRONICLE.

281

PRICES OF STOCK in each Month in 1834, Highest and Lowest.

	Stock.	Reduced	Consols.	Ct. 1818.	Ct. red.	per Cts.	1836.	Annuit.	Stock.	Bonds.	Annuit.	£. 1000.	Stock.	Annuit.
January ..	214½ 211	89½ 88½	88½ 87½	97½ 96½	97½ 96½	97½ 95½	103½ 102½	17½ 17	243½ 240½	27 p.m. 22 p.m.	87½ 86½	49 p.m. 45 p.m.	100 98	87½
February ..	217½ 214½	91½ 89	91½ 88½	99½ 97	99 97	98½ 96½	105½ 103½	17½ 17½	253½ 243½	32 p.m. 26 p.m.	88½ 88	52 p.m. 45 p.m.	101½ 98	87½
March	217 215	92 90½	91½ 90	99½ 98½	99½ 98½	98½ 97½	104½ 104	17½ 17½	253½ 252½	33 p.m. 29 p.m.	89½ 89	54 p.m. 48 p.m.	102½ 101½	90 89
April	215½ 213	90½ 89½	91½ 90½	97½ 97½	98½ 96½	99½ 97½	102½ 101½	17½ 17	264 259	32 p.m. 29 p.m.	88½ 87½	54 p.m. 47 p.m.	101½	88½
May	216½ 214	91½ 90½	93 91½	99½ 98½	99½ 97½	100½ 99½	101½ 100½	17½ 17½	270½ 269	32 p.m. 27 p.m.		51 p.m. 46 p.m.	103½ 103½	91½ 90½
June	217 215½	91½ 90½	92½ 91½	99 98½	99½ 98	100½ 99	100½ 99½	17½ 17½	268½ 267½	30 p.m. 20 p.m.	89½ 89½	54 p.m. 48 p.m.	103½ 103½	
July	218½ 215	92½ 90½	91½ 90½	99½ 98½	99½ 98½	99½ 98	100½ 99½	17½ 17½	266½ 264½	27 p.m. 16 p.m.	90½ 89½	54 p.m. 46 p.m.		89½ 89
August	224½ 218½	91½ 90½	91 90½	99½ 98½	99½ 98½	99 98	100½ 99½	17½ 17½	266½ 258	23 p.m. 10 p.m.	89½ 89	54 p.m. 38 p.m.	102½	89½ 88½
September ..	222 220	90½ 89½	90½ 89	99½ 98½	99 97½	99½ 97	99½ 98½	17½ 17½	263½ 255½	18 p.m. 12 p.m.		45 p.m. 31 p.m.	100½	88½
October ..	225 220	90½ 89½	91½ 90½	99½ 98½	99½ 98½	100 98½	99½ 98½	17½ 17	264½ 263	25 p.m. 13 p.m.	89 88	45 p.m. 37 p.m.		
November ..	225½ 221½	90½ 89½	91½ 90½	99½ 98½	99½ 98½	100½ 99½	99½ 98½	17½ 17	267½ 264½	26 p.m. 18 p.m.	89½	44 p.m. 38 p.m.	102½	90½ 89½
December ..	223½ 221½	91½ 90	91½ 90½	99½ 98½	99½ 98½	100 99½	99 98½	17½ 16½	263½ 263	23 p.m. 17 p.m.	89½	41 p.m. 34 p.m.	102½	

AVERAGE PRICES OF BRITISH CORN.

FROM THE RETURNS.

	Wheat.		Barley.		Oats.		Rye.		Beans.		Peas.	
	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.
January 17	49	3	28	4	18	11	32	6	33	0	38	8
February 14 ...	49	0	27	10	18	6	31	11	32	5	37	0
March 26.....	48	5	27	6	18	1	32	1	31	6	35	1
April 24	47	8	27	2	18	0	32	0	31	6	34	5
May 26	48	0	28	2	18	10	32	5	33	6	34	4
June 24	47	6	28	5	21	11	33	1	34	9	37	3
July 25.....	48	7	28	10	24	1	35	11	37	3	43	10
August 22	48	6	28	8	23	6	34	6	37	5	45	2
September 25...	46	10	28	11	22	7	34	8	37	6	42	5
October 25.....	42	7	29	10	21	11	32	9	36	9	40	6
November 25...	41	8	30	6	21	6	0	0	37	3	41	4
December 27...	42	0	32	5	22	2	32	10	38	4	42	7

AVERAGE PRICES OF HAY & STRAW & LOAD.

January.	February.	March.	April.	May.	June.
Hay. 3 0 to 4 4	Hay. 2 10 to 4 0	Hay. 3 5 to 4 4	Hay. 3 15 to 4 4	Hay. 3 10 to 4 0	Hay. 3 10 to 4 4
Straw. 1 6 to 1 13	Straw. 1 10 to 1 16	Straw. 1 14 to 1 16	Straw. 1 10 to 1 16	Straw. 1 8 to 1 14	Straw. 1 12 to 1 16
July.	August.	September.	October.	November.	December.
Hay. 4 0 to 5 10	Hay. 5 0 to 5 10	Hay. 3 10 to 4 15	Hay. 3 15 to 5 0	Hay. 3 15 to 5 5	Hay. 3 15 to 5 0
Straw. 1 10 to 1 16	Straw. 1 0 to 1 16	Straw. 1 14 to 1 16	Straw. 1 8 to 1 15	Straw. 1 8 to 1 15	Straw. 1 8 to 1 14

AVERAGE PRICES OF BUTCHER'S MEAT.

Average Prices per Stone of 8lb. in Smithfield Market, in 1834.

	Beef.				Mutton.				Veal.				Pork.				Lamb.			
	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.
Jan.	2	0	to	4	0	2	8	to	4	8	3	2	to	5	0	3	10	to	4	4
Feb.	2	4	to	4	0	4	8	to	5	0	3	4	to	5	0	3	10	to	4	0
March ...	2	2	to	4	2	4	0	to	4	8	3	4	to	5	0	3	6	to	5	4
April	2	10	to	3	10	3	0	to	4	6	3	0	to	5	0	2	8	to	4	0
May	3	0	to	4	4	3	0	to	4	6	5	0	to	5	4	3	6	to	4	0
June	2	0	to	3	8	2	0	to	3	10	2	4	to	4	0	3	4	to	3	6
July	2	0	to	4	2	3	0	to	4	4	3	0	to	4	0	4	0	to	0	0
Aug.	2	6	to	4	2	3	0	to	4	2	3	0	to	4	8	2	8	to	4	0
Sept.	2	0	to	4	0	2	6	to	3	10	3	0	to	4	4	2	8	to	3	10
Oct.....	2	0	to	4	0	2	6	to	4	0	3	4	to	5	0	3	0	to	4	6
Nov.	2	2	to	3	10	2	4	to	3	10	3	2	to	4	6	3	0	to	4	6
Dec.	2	6	to	3	6	2	6	to	3	6	2	8	to	4	0	2	6	to	4	0

**BILLS OF MORTALITY, from December 10, 1833
to December 9, 1834.**

Christened { Males.. 13,601 } 27,216 || Buried { Males.. 10,811 } 21,679
 { Females 13,615 } { Females 10,868 }

Decrease in the Number of Burials reported this year 4898.

WHEREOF HAVE DIED,

Stillborn	1009	Fifty and sixty	1979
Under two years of age	4956	Sixty and seventy	1978
Between two and five	2044	Seventy and eighty	1811
Five and ten	988	Eighty and ninety	739
Ten and twenty	850	Ninety and a hundred	86
Twenty and thirty	1520	One hundred	1
Thirty and forty	1892	One hundred and one	1
Forty and fifty	2025		

TABLE of the Number of BANKRUPTS & DECLARATIONS of INSOLVENCY.

	Bankrupts.	Declarations of Insolvency.
January	93	20
February	82	12
March	96	12
April	89	10
May	82	12
June	90	8
July	96	15
August	73	15
September	73	10
October	100	12
November	114	11
December	113	12
	1101	150

METEOROLOGICAL TABLE for 1834.

Month.	Barometer.		Thermometer.		Pluvia- meter.	Prevailing Winds.
	Highest.	Lowest.	Highest.	Lowest.	Inches.	
January	30.449	29.071	58	58	2.87	S. W. and S.
February	30.517	28.063	59	10	0.37	S. W. and S.
March ..	30.596	29.549	60	24	0.86	N. W. and S. W.
April ..	30.515	28.303	69	26	0.66	S. E. and N. E.
May	30.501	29.435	80	33	1.19	S. and S. W.
June ..	30.390	29.469	71	39	1.63	W. and S.
July	30.295	29.461	94	42	6.34	S. W. and E.
August ..	30.187	28.624	85	40	2.73	N. E. and S. W.
Septemr.	30.527	29.387	78	37	0.63	S. and E.
October	30.674	29.319	80	32	0.43	S.—N. W. and S. W.
Novemr.	30.457	29.102	63	25	1.73	S. W.—N. E. and E.
Decemr.	30.667	29.268	56	25	0.64	S. W. and N. E.
	30.674	28.306	94	10	20.29	

UNIVERSITY OF OXFORD.

EXAMINATIONS. TERM—PASCHAL, 1834.

In Literis Humanioribus.

CLASSIS I.

Barnes, Richard W. *Queen's*.
Blackburn, Robert, *Balliol*.
Elder, Edward, *do*.
Palmer, Roundell, *Trinity*.
Spranger, Rob. Jefferies, *Exeter*.
Thomson, Richard, *Brasenose*.
Thornton, Edward, *Christ Church*.
Wood, W. Edw. C. *Magdalen*.

CLASSIS II.

Abraham, Thos. Edw. *Balliol*.
Chambers, Edw. Elliot, *St. John's*.
Chapman, Thos., *Exeter*.
Foster, Archer Fitz John, *Trinity*.
Fox, Octavus, *Lincoln*.
Hoskyns, Chandos, *Balliol*.
Kingdon, Thos. Kingdon, *Exeter*.
Lloyd, Thos. *Christ Church*.
Renaud, George, *Corpus*.
Snowden, Richard, *Queen's*.
Talmage, John, Mayow, *Christ Church*.

CLASSIS III.

Austin, George, *St. John's*.
Bishop, Alfred Cæsar, *Queen's*.
Brereton, John, *New College*.
Bush, Joseph, *Wadham*.
Edwards, John Wilkinson, *Brasen-nose*.
Goodlake, Thos. Wm., *Pembroke*.

Gough, Henry, *Queen's*.
Hall, Wm. *St. Edward's Hall*.
Hamer, Henry, *Queen's*.
Levy, Thos. Bailey, *Queen's*.
Macdougall, Jas., *Brasen-nose*.
Thomas, Richard Jas. F. *Christ Church*.
Wood, Geo. Napoleon, *Wadham*.

CLASSIS IV.

Barnwell, Edw. Lowry, *Balliol*.
Bateman, James, *Magdalen*.
Burrow, Thos. Christopher, *Queen's*.
Carey, Hewett, *Oriel*.
Carter, Eccles Jas., *Exeter*.
Davies, Ebenezer Wm., *Jesus*.
Estcourt, Wm. J. B. *Balliol*.
Eyre, Hen. Rich., *University*.
Floud, Thos., *Wadham*.
Hayes, Chas., *Magdalen Hall*.
Heming, Henry, *St. John's*.
Lamotte, Geo. Thos. C. *Balliol*.
Lewin, Æmilius, *Trinity*.
Maddison, Rd. Thos., *University*.
Ormsby, Wm. Arthur, *do*.
Oswald, Alex., *Christ Church*.
Phelps, Edw. Spencer, *Wadham*.
Stackhouse, Alfred, *Lincoln*.
Trollope, Thos. A. *Magdalen Hall*.
Twining, Aldred, *Oriel*.
Ward, Richard, *do*.
Winthrop, Benj. Eveleigh, *Wadham*.

In Disciplinis Mathematicis et Physicis.

CLASSIS I.

Abraham, Thos. Edward, *Balliol*.
Barnwell, Edw. Lowry, *do*.
Burrow, Thos. Christopher, *Queen's*.
Gough, Henry, *do*.
Winthrop, Benj. Eveleigh, *Wadham*.

CLASSIS II.

Davies, Ebenezer, Wm. *Jesus*.

CLASSIS III.

Twining, Aldred, *Oriel*.

CLASSIS IV.

Hall, Wm. *St. Edmund Hall*.
Sugden, Henry, *St. Alban Hall*.
Taylor, Thos. *Magdalen Hall*.
Turner, Geo. E., *do*.

TERM—MICHAELMAS, 1834. *In Literis Humanioribus*

CLASSIS I.

Barnes, Chas., *Corpus*.
Dale, Henry, *Magdalen*.

Daman, Chas., *do*.
Godfrey, Dan. Race., *Queen's*.
Hussey, Wm., *Balliol*.

Hyman, Orlando H. B., *Wadham*.
Woolcombe, Henry, *Christ Church*.

CLASSIS II.

Brancker, Thos., *Wadham*.
Bruce, Hon. F. W. A., *Christ Church*.
Davies, Nathaniel, *Pembroke*.
Govett, Robert, *Worcester*.
Gunner, Wm. Hen., *Trinity*.
Morris, J. Brande, *Balliol*.
Owen, Lewis Welsh, *do*.
Pocock, Nicholas, *Queen's*.
Stupart, G. Townshend, *Exeter*.
Ward, Wm. Geo. *Lincoln*.
Wilson, J., *Corpus*.
Wing, J. Wm., *University*.

CLASSIS III.

Allen, Thos. *Balliol*.
Black, Patrick, *Christ Church*.
Blencowe, Thos. *Wadham*.
Boyce, Hen. le Grand, *Worcester*.
Bright, J. Edw. *Christ Church*.
Dewar, Edw. Hen. *Exeter*.
Faber, J. Cooke, *Christ Church*.
Fortescue, Robt. Hen. *Exeter*.
Hanmer, Thos. *Brasenose*.
Jackson, Thos. *St. Mary Hall*.
Johnson, Jas. T. *St. John's*.
King, Bryan, *Brasenose*.
Kitson, Ellis Paget, *Balliol*.
Law, Geo. Still, *Oriel*.
Mozley, Jas. Bowling, *do*.
Pelley, Theophilus, *Corpus*.

Slight, Henry Spencer, *do*.
Talbot, hon. W. C. *Christ Church*.
Vaughan, Jas. *Worcester*.
Waller, Stephen Richard, *Brasenose*.
Webster, Joseph, *Trinity*.
West, Washbourne, *Lincoln*.
Woolcombe, Wm. Wyatt, *Exeter*.

CLASSIS IV.

Austin, Rob. Rd. *Christ Church*.
Butler, Daniel, *Lincoln*.
Cooke, Denham J. C. *Worcester*.
Case, Hen. J. Farrington, *St. John's*.
De Salis, Wm. Andrew, *Oriel*.
Downville, Jas. Graham, *Christ Church*.
Emerson, Alex. Lyon, *Pembroke*.
Hall, Henry, *Christ Church*.
Jeaus, Wm. *Wadham*.
Mayne, Henry Blair, *Christ Church*.
Morris, John, *Jesus*.
Newton, Wm. *Balliol*.
Oswall, Henry Lloyd, *Christ Church*.
Owen, Jas. Rd. *Jesus*.
Pell, Jens, *Exeter*.
Radclyffe, Chas. Edw. *Brasenose*.
Ryder, Wm. Dudley, *Exeter*.
Sidney, J. *Brasenose*.
Spey, Arthur Brown, *Trinity*.
Sykes, Jos. *Oriel*.
Vine, Marshall Hall, *University*.
Whatman, Jas. *Christ Church*.
Wheeler, David, *St. Edmund Hall*.
Wrench, Hon. Ovenden, *Worcester*.

In Disciplinis Mathematicis et Physicis.

CLASSIS I.

Anstice, Rob. Rd. *Christ Church*.
Jeffrey, Wm. Lockhart, *Balliol*.
Pocock, Nicholas, *Queen's*.

CLASSIS II.

Ward, Wm. George, *Lincoln*.
Woolcombe, Hen. *Christ Church*.

CLASSIS III.

Brancker, Thos. *Wadham*.
Downville, Jas. Graham, *Christ Church*.
Kitson, Ellis Paget, *Balliol*.
Slight, Hen. S. *Corpus*.

CLASSIS IV.

Vine, Marshall Hall, *University*.

CHANCELLOR'S PRIZES.

Latin Essay. — "*De Provinciarum Romanarum administrandarum Ratione.*"
Robert Scott, *Christ Church*.

English Essay. — "*The Influence of the Roman Conquests upon Literature and the Arts in Rome.*" Joseph Anstice, *Christ Church*.

POETICAL PRIZES.

Latin. — "*Cicero ab exilio Redux Romam ingreditur.*" Arthur Kensington, *Trinity*.
English. — "*The Hospice of St. Bernard.*" (*Newdigate.*) Joseph Arnould, *Wadham*.

UNIVERSITY OF CAMBRIDGE.

EXAMINATIONS. MATHEMATICAL TRIPOS, 1834.

Moderators. { John Hymers, M.A. *John's.*
 { Hen. Philpott, M.A. *Catherine.*
Examiners. { Edwin Steventon, M.A. *Corpus.*
 { Charles Whetley, M.A. *John's.*

Wranglers.

Ds. Kelland	<i>Queen's.</i>
Birks	<i>Trinity.</i>
Stevenson	<i>Trinity.</i>
Pryor	<i>Trinity.</i>
Hoare	<i>Trinity.</i>
Main	<i>Queen's.</i>
Bullock	<i>John's.</i>
Bates	<i>Jesus.</i>
Creuze	<i>John's.</i>
Fletcher	<i>Pembroke.</i>
Cocker	<i>Peter's.</i>
Hay	<i>John's.</i>
Trentham	<i>John's.</i>
Gooch	<i>Trinity.</i>
Evans	<i>Peter's.</i>
Irwin	<i>Caius.</i>
Hutchinson	<i>Magdalen.</i>
Darley	<i>Christ's.</i>
Lawson	<i>Magdalen.</i>
Dalton	<i>Caius.</i>
Hulton	<i>Trinity.</i>
Morton	<i>Trinity.</i>
Hanson	<i>Pembroke.</i>
Low	<i>John's.</i>
Marsh	<i>Trinity.</i>
Rolfe	<i>John's.</i>
Cock	<i>Trinity.</i>
Isaacson	<i>Sidney.</i>
Vaughan	<i>Christ's.</i>
Welldon	<i>John's.</i>

Senior Optimes.

Ds. Yorker	<i>Caius.</i>
Carlyon } <i>Æq.</i> {	<i>Emmanuel.</i>
Forsyth } <i>Æq.</i> {	<i>Trinity.</i>
Huxtable	<i>John's.</i>
Crow	<i>Christ's.</i>
Wilkinson	<i>Queen's.</i>
Giles } <i>Æq.</i> {	<i>John's.</i>
Selwyn } <i>Æq.</i> {	<i>Trinity.</i>
Cory	<i>Pembroke.</i>
Smith	<i>Trinity.</i>
Palmer	<i>Trinity.</i>
Bedford	<i>Peter's.</i>
Marsden	<i>Corpus.</i>
Wharton	<i>John's.</i>
Webster	<i>Queen's.</i>
Nevin	<i>John's.</i>
Drew	<i>John's.</i>
Wood	<i>John's.</i>
Platten	<i>Emmanuel.</i>
Hanson	<i>Emmanuel.</i>
Cumming	<i>Emmanuel.</i>

Ouvry	<i>Trinity.</i>
Bryer	<i>John's.</i>
Jenner	<i>John's.</i>
Wilkins	<i>Queen's.</i>
Bromah	<i>Trinity.</i>
Williams, F. L.	<i>Trinity.</i>
Coates	<i>John's.</i>
Cotterill	<i>John's.</i>
Braithwaite	<i>Clare.</i>
Walker	<i>Christ's.</i>
Donaldson	<i>Trinity.</i>
Bromehead	<i>Caius.</i>
Sandford	<i>John's.</i>
Gleadowe	<i>Caius.</i>
Barber	<i>Corpus.</i>
Warter	<i>Magdalen.</i>
Bailey	<i>Trinity.</i>
Jenkins	<i>Trinity.</i>
Lushington	<i>Trinity.</i>
Johnstone	<i>Trinity.</i>
Morrison	<i>Trinity.</i>
Edge	<i>Emmanuel.</i>
Darnell	<i>Trinity.</i>

Junior Optimes.

Ds. Haigh	<i>Catherine.</i>
Barrow	<i>Caius.</i>
Hawes	<i>Clare.</i>
Skrimshire	<i>Catherine.</i>
Goodchild	<i>Magdalen.</i>
Boswell	<i>Queen's.</i>
Foster	<i>Magdalen.</i>
Wilson	<i>John's.</i>
Wright	<i>Trinity.</i>
Barnes	<i>John's.</i>
Hurst	<i>Clare.</i>
Williams, A.	<i>Trinity.</i>
Nicholls	<i>Trinity.</i>
Hulbert	<i>Sidney.</i>
Simson	<i>Clare.</i>
May	<i>Jesus.</i>
Downes	<i>Trinity.</i>
Morant	<i>Magdalen.</i>
Holmes	<i>Trinity.</i>
Phillips, G. P.	<i>Trinity.</i>
Bullock	<i>Corpus.</i>
Boys	<i>John's.</i>
Fearon	<i>John's.</i>
Bishopp	<i>Peter's.</i>
Teale	<i>John's.</i>
Perry	<i>Magdalen.</i>
Kennedy	<i>John's.</i>
Leathley	<i>Trinity.</i>
Saunders	<i>Catherine.</i>

CLASSICAL TRIPOS, 1834.

Examiners. { Connop Thirlwall, M.A. *Trinity*.
 Thomas Henry Steel, M.A. *Trinity*.
 Christopher Wordsworth, M.A. *Trinity*.
 John Frederic Isaacson, M.A. *John's*.

<i>First Class.</i>			
Ds. Kennedy	<i>John's</i> .	Grey, hon. F.	<i>Trinity</i> .
Donaldson	<i>Trinity</i> .	Bailey	<i>Trinity</i> .
Forsyth	<i>Trinity</i> .	Sandford	<i>John's</i> .
Warter	<i>Magdalen</i> .	<i>Third Class.</i>	
Welldon	<i>John's</i> .	Ds. Bromehead	<i>Caius</i> .
Lushington	<i>Trinity</i> .	Hay	<i>John's</i> .
Vaughan	<i>Christ's</i> .	Cotterill	<i>John's</i> .
Huxtable	<i>John's</i> .	Leathley	<i>Trinity</i> .
Phillips, G.	<i>Trinity</i> .	Palmer	<i>Trinity</i> .
Evans	<i>Peters</i> .	Bryer	<i>John's</i> .
Marsh	<i>Trinity</i> .	Fletcher	<i>Pembroke</i> .
Coates	<i>John's</i> .	Holmes	<i>Trinity</i> .
<i>Second Class.</i>		Norton	<i>Trinity</i> .
Ds. Webster	<i>Queen's</i> .	Fearon	<i>John's</i> .
Wilkinson	<i>Queen's</i> .	Trentham	<i>John's</i> .
Stevenson	<i>Trinity</i> .	Gleadowe	<i>Caius</i> .
Borrow	<i>Caius</i> .	Walker	<i>Christ's</i> .
Foster	<i>Magdalen</i> .	Downes	<i>Trinity</i> .
Williams F	<i>Trinity</i> .	Cumming	<i>Emmanuel</i> .
Johnson	<i>Trinity</i> .	Braithwaite	<i>Clare</i> .
Morrison	<i>Trinity</i> .	Gooch	<i>Trinity</i> .
		May	<i>Jesus</i> .

CHANCELLOR'S MEDALLISTS, 1834.

T. K. Selwyn *Trinity*.
 Wm. Forsyth *Trinity*.

CHANCELLOR'S PRIZE.

None Adjudged.

SIR W. BROWNE'S MEDALS.

Greek Ode—C. Clayton *Caius*.
 Latin Ode—Hon. C. S. Savill *Queen's*.
 Epigrams—Jas. Fred. Smith *Trinity*.

PORSON PRIZE.

Edward Howes *Trinity*.

SEATONIAN PRIZE.

T. E. Hankinson *Corpus*.

LAW CASES AND NARRATIVES.

COURT OF KING'S BENCH, WESTMINSTER, FEB. 8.

Prosecution for Perjury.

The King v. Thomas Russell Davis.

SIR J. Scarlett stated the case for the prosecution. The indictment charged the defendant, a bookbinder at Hertford, with having committed wilful and corrupt perjury in certain evidence which he had given before a committee of the House of Commons, appointed during the last session of Parliament, to decide on the merits of the Hertford election petition. At the last contested election for Hertford, lord Mahon, and lord Ingestrie were the conservative candidates, and Mr. T. Duncombe and Mr. Spalding came forward on the popular interest. The election having terminated in favour of lords Mahon and Ingestrie, Mr. Duncombe and Mr. Spalding presented a petition against their return, which was referred to a committee, who, after an investigation of many days, made a report by which the two noble lords were unseated. Among other allegations in the petition it was charged that bribery had been committed to a very great extent at and before the election, and in support of the petition the defendant, who was a warm partisan of Mr. Duncombe and Mr.

Spalding, was examined as a witness. In his evidence he stated that on Monday, the day of the nomination at Hertford, he had gone between five and half-past six o'clock to the house of Mr. Nicholson, the principal agent of lord Mahon, and had there seen in Mr. Nicholson's office, which he described particularly, both lord Mahon and Mr. Nicholson together; that he showed lord Mahon some bruises on his head, which he said he had received from the bullies and gipsies who were on lord Mahon's side, and required some compensation for them before he would give his vote for his lordship; that lord Mahon himself promised him 10*l.* for his vote, and that Mr. Nicholson said he would draw his pen across a debt of 3*l.* 15*s.* which he (Davis) owed to Mr. Nicholson and his partner; that he promised to vote for lord Mahon on this understanding, but that, feeling he had acted wrong, he had, when taken to the poll by one of lord Mahon's adherents, voted for Mr. Duncombe and Mr. Spalding. Now, he (Sir J. Scarlett) would prove this statement to be wholly false. He would call lord Mahon and Mr. Nicholson before the jury, and they would both prove that, neither at the time stated by Davis, nor at any other time, had any such conver-

sation as he stated taken place. Besides this positive testimony he would show that Mr. Nicholson was distant five miles from home at the time spoken to by Davis; that Davis's description of Mr Nicholson's office, in which he stated the conversation to have taken place, was incorrect; and that Mr. Nicholson had some time previously made an alteration, which was inconsistent with the description Davis had given of it.

The preliminary proof having been gone through, the shorthand writer's notes of the evidence given by Davis before the committee were read.

Lord Mahon—I attended the committee in the House of Commons most days. I was present when the defendant was examined and heard the evidence he gave. To the best of my remembrance, I had never seen him before I saw him in the committee room. I heard the evidence he gave respecting a conversation between him and me, and I solemnly swear that that evidence was entirely false. I have no recollection of having ever been in a room with that man and Mr. Nicholson. I never, in the presence of Mr. Nicholson or in his absence, offered that man 10*l.*, if he would give me his vote. I never offered that man or any other man in Hertford, either directly or indirectly or at any time or place, a sum of 10*l.*, or any other sum whatever, for his vote. If such an event had occurred as a man showing me his wounds, and asking me for a consideration for his vote, I could not have forgotten it; I can therefore venture to swear that nothing of the kind stated by Davis ever took place. No offer was made by Mr. Nicholson or any other person in

VOL. LXXVI.

my presence respecting a balance of 3*l.* 15*s.* being struck off.

Cross-examined.—From first to last, my election cost me personally between 2,000*l.* and 3,000*l.* I did not pay the whole of the expenses; there was another candidate, and there were others who also contributed. To the best of my belief the whole amount spent at the election may have been about 8,000*l.* or 9,000*l.* At the election 432 voters voted for lord Ingestrie, and 381 for me. I solemnly swear, that nothing against my principles and conscience, such as attempting to bribe an elector, could possibly have escaped my memory. My memory may be frail on unimportant circumstances, but not in such a case as this, and it is impossible that such a thing as this could have taken place. I have no recollection of any voters having shown me, on the nomination-day, any wounds they had received. I have no recollection of the fact, but I think it not impossible that persons may have shown me wounds they had received, and asked me for something to drink. I will not undertake to swear that no person during the election showed me bruises or wounds which they said they had received in my service; it may have happened, though I have no recollection of it.

Re-examined by Sir James Scarlett. I can undertake to say positively that no person ever showed me in Mr. Nicholson's private room, any wound he had received, or asked me for any compensation of 10*l.* or any other sum.

Mr. George Nicholson.—I am a solicitor, practising at Hertford. The defendant was indebted to me and my partner in a sum of 3*l.* 15*s.* There is no truth what-

U

ever in the statement that the defendant came to my house on the nomination-day, or any other day, and saw Lord Mahon and myself together, when Lord Mahon promised to give him 10*l.* for his vote. I did not offer to strike my pen through my demand on Davis. I knew Davis to be a warm supporter of Mr. Duncombe, and I never had any conversation with him about his vote.

Cross-examined.—I believe the whole expense of the election to have been between 6,000*l.* to 7,000*l.* I am not at liberty to say whether any other persons besides Lords Ingestrie and Mahon paid any part of the expenses: it is matter of a privileged nature, and I am not bound to disclose it.

Mr. Longmore, the partner of Mr. Nicholson, stated that, after the election, he issued a writ against Davis, to recover the sum due to himself and Mr. Nicholson. Davis called on him to settle the matter, but did not mention the promise he afterwards stated had been made to him by Mr. Nicholson to strike his pen through the debt. Witness did not make any application by letter immediately before issuing the writ, but frequent applications had been made before, and there had been repeated promises to pay. The writ was issued about six weeks after the election was over; but it was not issued, in consequence of the part which Davis had taken at the election.

Two of the clerks in the office of Messrs. Nicholson and Longmore stated that on Monday, the day of the nomination, Mr. Nicholson went out on horseback before five o'clock, and that Russell Davis did not, to their knowledge, come to the office.

Mr. Nicholson's groom proved

that his master rode out on the nomination-day at half-past four o'clock, and did not return till half-past seven.

The Lord Chief Justice summed up the evidence: and the Jury found the defendant *Guilty*, but recommended him to mercy, on the ground that great bribery and corruption had prevailed at the Hertford election.

CRISTEN.

Trial of Mosley and Garside for Murder.

Joseph Mosley, 34, and William Garside, were indicted for the murder of Mr. Thomas Ashton, at Werneth, on the 3rd of January, 1831.

The three first witnesses deposed merely to the cause of death of the murdered man.

William Mosley, the accomplice.—I am the brother of Joseph Mosley, one of the prisoners at the bar. I have lived at Remley, about a mile and a-half from Mr. Ashton's, and four miles from Marple. I have been a boat-man. I knew the prisoner Garside at Marple. I remember meeting Garside and Joseph Mosley at the Stag's Head, at Marple-bridge, on the Wednesday before Mr. Ashton was shot. We had something to drink. Both of them asked me (Garside first) if I had any thing to do. I said I was out of employ, and was going over to Macclesfield to look for work. Garside said I had better stop a few days, and I should have a better job than any I could get at Macclesfield. We agreed to meet again on the Sunday, at Marple-bridge. I went there between twelve and one o'clock.

Garside and Mosley were there; we remained on the bridge there about half an hour. They told me they were going to meet two men on Compstall Brow, and that I must go with them. While we were standing on the bridge we saw Samuel Middleton and — Jones. We went to Compstall Brow, that is not far from Werneth Low, a high hill. We met two men, one was called either Scholfield or Stanfield. I knew them by sight before; Scholfield was a joiner. Joseph Mosley told me to stand a little on one side, while he and Garside talked together with the other two. I did not hear all that was said, but I heard something about “the Unions.” They talked together about half an hour. After the other men went away, Garside and Joseph Mosley said, that they had agreed with those two men, that they were to shoot one of the Mr. Ashtons. I said, what was it for? and they said, because of the turn-out Unions. I asked what they were to have for it? and they said 10*l*. They asked me to meet them for that purpose the next day, at Wright’s Tower, or if not there, at the Gravel-pits. I at first refused, but was persuaded to consent. On the Monday, about four o’clock, I set out from Romiley to go to the place appointed. I overtook a man named George Parkinson; he walked with me as far as his own house. I did not find the prisoners at Wright’s Tower, and went on to the Gravel-pits, where I found them. They had each a pistol loaded; one large, like a horse pistol, and the other a small one. Garside had the large pistol; the small pistol had a bright

barrel. Garside had on a dark-coloured coat (jacket), dark brown cloth trousers, and waistcoat the same. Joseph Mosley was dressed in a dark-coloured waistcoat, and a light coloured coat, like a long shooting coat. I was dressed in a pair of woollen cord breeches, yellow-striped kerseymeré waiscoat, and round cloth jacket, which reached about the knees. I had on a hairy cap. While we were at the Gravel-pits, we saw Samuel Taylor, the farmer. Both of them said we were to go round by the turnpike, and along the lane towards Mr. Ashton’s factory. When we were going we met several persons. Garside and I changed shoes. He put on one of mine, which had strong nails in it. We changed my cap for his hat. We met a man, and in about twenty or thirty yards more we met a little girl; we also met a boy with a lantern, and after him a man. Joseph went across the road and looked him in the face. Garside asked Joseph if he knew him, and Joseph said no, he did not. I went over the hedge on the right hand side of the lane, and Joseph and Garside went through the Clap-gate into the field on the other side, through which the private road to Mr. Ashton’s runs. The ground on the side I was on was higher than the other. I could see them sitting down together at the back of the ditch, waiting for Mr. Ashton. Shortly afterwards some one came along the footpath towards the mill, and through the Clap-gate. Garside got up from the ditch before the man got through the Clap-gate; he pointed the piece towards the man, and he gave way and fell

back; Garside then fired. The man might have got twenty yards from the Clap-gate when the shot was fired; the man who was shot fell across the road. When the shot was fired, we all ran away to the canal-bridge near the factory, where we agreed to meet. I went by myself over the fields; they were standing on the bridge, when I met them; Garside had the pistol in his hand. I asked if the man was dead? He said, "Yes, dead enough. He never stirred after." There was a man coming along the towing-path by the canal side, and we stooped down under the battlement of the bridge, to prevent him seeing us. After he passed, we all went away together. I asked which of the Ashtons they shot, and they said it did not mean (matter) which, it was one of them. They appointed for me to meet them the next day at the Bull's Head, at Marple, and we parted. I slept that night in a boat of J. Bennett's, of Hatherlow; I saw them about dinner-time on the 5th of January; it was agreed, that I was to go to the seventh lock on the canal, if I did not find them at the Bull's Head. That was to receive my share of the money; we did meet at the Bull's Head, and the man I have before named, James Scholfield, or Stanfield, was there. He said he had settled with the other two, and he would settle with me; he then pulled out three sovereigns; I would take only two, saying I would be content with that. They then signed a book, and I put my mark to it. I cannot read. We then all went down on our knees, and holding a knife one over the other, said, one after another, "We

wished God might strike us dead, if we ever told." The man who paid the money did it first, and then Garside.

In his cross-examination this witness admitted, that, before he made the confession, he had heard the witnesses before the Magistrates describe the dress of the men who were met in the lane, and some other particulars, which were now relied upon as a confirmation of his evidence; and it appeared that the account given by him now of the circumstances at the scene of the murder (the relative situations of himself and the others concerned, &c.) differed from his statement before the magistrates in some particulars.

Mr. John Stavelly Barratt: I am deputy constable of Stockport. I apprehended Joseph Mosley on the 18th of April. I told him the charge. He said he knew nothing about it, for he was from home at the time, on a journey from Chester to Liverpool, and that he never heard of it until his return home at the latter end of the week.

The prisoner, Joseph Mosley, here denied that he had said so in reference to the charge about Mr. Ashton, but with reference to the other felonies which Mr. Barratt said the prisoner Garside, who was then in Derby gaol, charged Mosley with having committed. He also declared that Mr. Barratt had visited his brother in gaol, and given him money repeatedly to induce him to make a statement.

Questions on these points were put by the learned judge, to Mr. Barratt, who distinctly repeated that Mosley said so with reference to the charge of Mr. Ashton's murder. Mr. Barratt was then questioned at considerable length by his lordship.

about the money he had given to William Mosley. He stated, that he had given him 2s. on one occasion for tobacco, and 1s. on another occasion; and that he was in the habit of giving similar small sums as indulgences to prisoners who had behaved well, as Mosley did, while in his custody. Mosley asked him for money to buy tobacco with. He was positive that he had not given Mosley any more than those 3s.

William Mosley, the accomplice, was recalled, with a view to be cross-examine as to the money he received from Mr. Barratt.

Mr. Barratt gave me no money but my own. It was 10s. or 11s. Mr. Barratt has visited me since I have been in gaol. He gave me 10s. or 11s. at different times. He did not tell me to say Garside fired the shot, nor that if I did not confess, I would be hanged. The first money he gave me was 3s. I asked him for it, but did not say what it was for. The second time he saw me he gave me 3s. more, and the time after that 2s. He never gave me 1l. at a time.

William Jeffery Lockett, esq.: I am a magistrate of the county of Derby, and one of the visiting magistrates of the gaol there. I first saw Garside in the evening of the 11th of April. Mr. James Ashton was with me. Garside then said nothing very material, but I made my own memoranda of what he said. There was no promise or inducement held out to him to say what he did. On the 14th of April I was told Garside wanted to see me. I ordered him to be brought up. He wished to know if Joseph Mosley was in custody, and if he (Garside) was to be admitted evidence for the Crown? I said I thought it likely Mosley was

in custody, but that the admitting him (Garside) evidence for the crown must depend on the discretion of the Court. Seeing that he was desirous to make some further communication to me, I cautioned him of the possible consequences, and begged him, if he had made any communication to Dr. Forrester, or wished to make any further one to me, under the impression that he would be admitted a witness for the crown, to dismiss the expectation from his mind. He was then a convict suffering eighteen month's imprisonment. There was a proclamation in the *London Gazette* of the 6th of January, 1831. I have seen it. He admitted that he did not know more of the matter than he had stated to Dr. Forrester, and would state it. He was about to make his statement, when he said, "Stop! let me first see the *Hue and Cry*." I got one of the turnkeys to fetch it. The prisoner read the proclamation relating to the murder of Mr. Ashton, and I read it over to him afterwards. [The proclamation excepted from pardon the actual murderer.] He was very much agitated. He asked me "Can I be made a witness without a pardon?" I said, do you mean the offence for which you are now in prison? He said "Yes." I declined to answer his question, although I had an opinion upon it. He wished to make his statement; but I, seeing that he was much agitated, declined to receive it then, but said I would return at 8 o'clock, when he would be more composed. I did so, and after he became composed a little I took his statement. This was on the 14th of April.

Cross-examined: I cannot tell whether the disclosure he made to

me was with a hope that he would receive a pardon, or on the faith of the proclamation; but, if so, it was contrary to my express caution.

Mr. John Simes, Governor of Derby gaol, was put into the box to be cross-examined for the prisoner Garside. The prisoner Garside sent to tell me that he wished to communicate something respecting a murder. He told me it was the murder of Mr. Ashton; but he declined to say any more until he should see a magistrate. Dr. Forrester did see him in my presence, and when his clerk, Mr. Whiston, was not present. The prisoner asked Dr. Forrester if he could be pardoned. The Doctor and I both said we could say nothing about it until we saw the *Hue and Cry*, which was brought and read to the prisoner. He refused to say anything more at that time, until he should see the Stockport magistrates. Dr. Forrester ordered me to take Garside off the treadmill, to separate him from the other prisoners. The statement made to Dr. Forrester was made after hearing the *Hue and Cry* read.

The statement of William Mosley, the accomplice, was then put in and read; it was in substance the same as his *viva voce* examination. The learned judge cautioned the jury that this document was not any evidence against Garside, and would not be evidence at all against any one, except to explain the above observation of the prisoner Joseph Mosley, which was made with reference to it.

Mr. Lockett, the magistrate, was recalled, and proved the confession made by Garside at Derby, which was put in and read. In many of the minor circumstances it tallied with the statement of William

Mosley, the accomplice, but differed from it in many material ones; among others, it stated, that it was Joseph Mosley who fired the shot; that the murder had been instigated, planned, and paid for by the Spinners' Union; and that Joseph Mosley said he would shoot all the Ashtons if the unions would give him 10*l.* a-piece for doing so.

Mr. James Ashton: I am brother of the deceased. On the 3rd of January, 1831, I had the superintendence of the Aphorne Mills, and my brother that of the Woodley Mills. I was in the habit of going along the private road from our house to the Aphorne Mills, about 7 o'clock every evening; but, on the day in question, having gone out on a visit, I requested my brother to take my place at the Aphorne Mill. There was great excitement then in the neighbourhood, in consequence of some dispute about wages between the master-manufacturers and the spinners. There was a turnout of the men, and I discharged one man for belonging to the Union.

This was the case for the prosecution.

The prisoner Garside, when called upon for his defence, said, that he had been told by Dr. Forrester that he would obtain not only a pardon for the offence for which he was then suffering imprisonment, but for the murder also, besides getting a part of the reward, and that Dr. Forrester told him the proclamation was quite sufficient for him. He also said that Dr. Forrester was kept away from the trial on purpose, or he would admit this fact if he were in court. The prisoner further stated that conversations to a similar effect had passed between him and

Mr. Sims, the governor of Derby gaol.

Mr. Sims, being recalled, entirely denied the truth of this statement.

The prisoner, Joseph Mosley, put in a written defence, denying any participation in, or a knowledge of, the crime; and charging many crimes and felonies both upon his brother William and the prisoner Garside, the latter of whom he said would not hesitate to swear away any man's life for drink. He also made a long statement respecting the nature and objects of Mr. Barratt's visits to his brother, William Mosley, while in gaol, and requested that a prisoner, now in gaol, should be called to speak to the facts.

Enoch Bradley was then brought into the dock, and he gave a long and circumstantial account of the conversations he had at various times had with William Mosley, since the latter has been in gaol. Among other things which he had been told by William Mosley was, that Mr. Barratt had got him put into the condemned cell upon his arrival at Chester Castle, and told him he should continue there till the assizes, if he did not make a statement; that about 8 o'clock in the evening he was removed from the condemned cell to the hospital, and told by Barratt that he should have every thing he wanted, if he would make a statement; that he was again put into the condemned cell on the Saturday, and told by Barratt to make a statement, to which he (Barratt) would help him by suggestions. Witness observed to William Mosley that he had not been well kept by Barratt, as he had been fourteen days in the hospital, and had had only hospital fare; upon which William Mosley

replied, that he had already received 17s. from Mr. Barratt, and might have as much more as he wanted by asking for it; adding, that as his money was nearly done (expended), he should write, if Mr. Barratt did not come again soon. Witness further stated that William Mosley had told him that Mr. Barratt promised him (Mosley) a share of the reward offered for the conviction of the murderers of Mr. Ashton, and 20% out of his (Barratt's) own pocket.

In cross-examination, on the *voir dire*, by the Attorney General, Bradley stated that he was in custody to be tried at these assizes on a charge of stealing silk; and that he had been twice before in Chester gaol, once under sentence of imprisonment for six months.

Roger Flinn, a prisoner in the gaol under sentence for a misdemeanour, who was in the hospital at the same time with William Mosley, and to whom Bradley had referred as knowing something of the conversations between him and William Mosley, was ordered to be brought up by the learned judge, but upon being questioned, he entirely denied having any knowledge of the matter.

William Mosley, the accomplice, was again recalled by the learned judge, and he declared that the story of his conversations with Bradley, as stated by that witness, was untrue in every particular.

Mr. John Dunstan, the governor of Chester Castle, was then called by the Attorney General, to explain the statement respecting the condemned cell. Mr. Dunstan being sworn, stated that William Mosley was placed in the condemned cell on his arrival, merely for the purpose of keeping him separate from the others, and until

another arrangement could be made respecting him, there not being at that moment more than two yards in the prison for prisoners before trial.

Mr. Baron Parke summed up the evidence.

The jury, after having retired from the box for a few minutes, found that Garside was the actual murderer, and returned a general verdict of *guilty* against both the prisoners, who instantly fainted in the dock.

Mr. Baron Parke immediately passed sentence of death.

In consequence of the abolition of the Welsh judicatures, a question arose, whether it was the duty of the sheriff of the city of Chester or of the sheriff of the county, to see the judgment of death carried into execution. Both having refused to act, the prisoners were respited; and it appearing that the decision of the question between the two sheriffs might lead to greater delay than was at first anticipated, the prisoners were, in Michaelmas term, brought up before the court of King's Bench; and in obedience to the order of that court, the sentence was carried into execution by the marshall.

MIDLAND CIRCUIT, DERBY,
MARCH 22.

George Maltby, George Sutton, Joseph Baker, James Goodwin, John Bunting, Thomas Bagshaw, William Stone, Charles Harrison, Daniel Harrison, Isaac Goodwin, Richard Sutton, Jonathan Rowland, Samuel Turner, Abraham Beresford, Abraham Doxey, Benjamin Marsden, and Thomas Skidmore, were arraigned on the

coroner's inquisition for the murder of Francis Taylor, Isaac Bagshaw, and Thomas Wager, by suffocation in a mine at Ashford, in the month of September 1833.

All the prisoners pleaded "not guilty."

The grand jury having ignored the bill as against the last named seven of the above prisoners, a verdict of acquittal was taken for them by consent of the counsel for the prosecution, and they were ordered to be discharged.

The remaining ten were then put upon their trial, having been first arraigned on an indictment for the murder of Bagshaw. The indictment in substance charged the prisoners with having, on the morning of the 2nd of September last, feloniously, wilfully, and of malice aforethought, made a fire of straw in a certain mine called "the Great Red Soil Mine," situated at Ashford, in the parish of Bakewell, and put into the fire a quantity of oil of coal, sulphur, and other combustibles, whereby they caused noxious fumes, smoke, and vapour to arise in the said mine, by which the said Isaac Bagshaw, upon descending into the said mine for the purpose of entering upon his lawful business therein, was suffocated and murdered.

The prisoners pleaded "not guilty."

William Wager said he was a farmer and mine-proprietor, living in the Peak of Derbyshire; he is not a proprietor either of the Red Soil or the Magpie mines. He was never down the Magpie mine; but is well acquainted with the other, having gone down into it as a grand juror on the 8th of July last. It is the custom, when there is a dispute about cross veins in

these lead mines, to summon a jury of mine-proprietors or miners, and make a presentment to them in the nature of a bill of indictment, which they find or not upon their own inspection and examination of the mine. Their finding is sometimes attended with a fine upon the trespasser. The principal shafts of the Red Soil Mine were the founder shaft, which was the one by which the lead ore was first discovered; the climbing shaft, by which the miners descended and ascended; the engine shaft, by which the ore was wound up to the surface, and which went down perpendicularly to the waggon-gait, where the ore was collected in the mine, and whence it was conveyed to the surface by the engine shaft. The founder and climbing shafts also reached the surface, but the founder did not descend far, and the climbing shaft was not perpendicular. The latter consisted of a main shaft, and minor shafts, called sumps, leading from it. The climbing shaft of the Red Soil was about twenty-four fathoms deep; the sump leading down directly from it was about sixteen fathoms, and another sump leading down from that again was about twenty fathoms more. There were other sumps, sets-off or projections from these. The depth of the mine altogether was about sixty-seven fathoms. The people in the Magpie had worked up to the waggon-gait of the Red Soil mine, and made an opening into it. The bed of the Red Soil waggon-gait was at least sixty yards from the perpendicular line of the founder shaft of the Magpie mine.

John Hempstock said, he was one of the Red Soil miners. He had been down on the Friday and

Saturday preceding the 2nd of September. There was a great quantity of smoke in the shafts and sumps. The waggon-gait was pulled in, or had fallen in, on the Monday, the 2nd of September, when he next went down. The smoke and fumes were then so strong, that he called out to the other men to retreat or they would be killed. Isaac Bagshaw, the deceased, cried out "I am killed already." Witness never heard him speak another word. This was about nine o'clock on Monday. Witness on getting down to the waggon-gait felt faint, and threw himself on his face. Some person threw down water through the shaft, which brought great relief. When he somewhat recovered from his faint, he heard groans from some of the men above him, and as soon as he was able, he rolled into a bucket, and was drawn up the engine-shaft, in the same manner as the ore would be. Between eleven and twelve o'clock on the preceding day, witness observed four men let down two bags, some bottles, and a bundle of straw, into the Magpie mine. He knew none of them. On the same day, he met the prisoner, John Bunting, and Richard Sutton (one of those just discharged), in a field near the mine, shortly after he had observed the straw and bags let down. He entered into conversation with them, and said, "You see you have not killed us yet; our chaps were down on Saturday, and heard you blowing and blasting away." Bunting replied, "Ye are hard chaps to kill; ye, devils like, would stand fire and smoke, or anything. Our physic is not strong enough yet for ye."

Samuel Houseley corroborated the testimony of the last witness.

When he and some of his comrades went down the Red Soil mine, on Friday or Saturday, he saw a hole in the upper part of the waggon-gait large enough for a man's body to pass through. He heard Slack (a man not in custody), who was one of the Magpie miners, and other persons, at work on the other side of the hole. Witness called out to them, to know what they were at, observing, at the same time, that the hole would now decide the dispute. He saw Slack make a hole in the rock with an auger, put powder into it, sod it up, and apply a match to it. Slack and his companions then retreated. Witness feeling that himself and his comrades could not well get out of the way, and were in danger of being killed by the explosion, rushed up to the hole, thrust his arm and part of his body through it, seized the lighted match, and brought it away before it communicated with the powder. The match set the sleeve of witness's jacket on fire; and a spark also fell in the straw on the floor, on which the miners used to sit, and the straw took fire. Witness was for a moment greatly alarmed, but he immediately turned his face on the straw, and extinguished the blaze. The witness stated the expedient to which he had recourse for the purpose of extinguishing the fire, which provoked smothered laughter throughout the court.

Other witnesses were called, who gave an account of the state of the mine on Friday, Saturday, and Sunday. One witness, named Wood, was amongst those who went down on Monday morning. The miners relieved each other—one set working for about six hours, and then the other for an equal period

more. The smoke with which the shafts and sumps had been filled on the two preceding days, did not appear on the Sunday night. The shafts appeared to be clear on the Monday morning. As the men were going down there was a strong smell of sulphur. Some of the men had gone down before witness, and he found two or three groaning and fainting at the foot of the first sump. He felt faint himself, but he recovered a little, and was able to bring up three or four of the men, one by one, strapped on his shoulders. In the confusion, he could not recollect whether or not he was assisted by any one, but he believed he could not have done what he did unassisted. He then described, as already mentioned, the situation in which Bagshaw was found. Several of the men were near being suffocated. The stench appeared to have been caused by oil of coal and sulphur.

These witnesses denied, on cross-examination, that fires had been kindled by them to smoke out the Magpie people; but they admitted that, for several days, each party had been guarding the possession of their own mine.

Thomas Smith stated, that he saw the prisoners Sutton and Maltby, come out of the Magpie mine about one o'clock on the Monday.

On his cross-examination, he said he was in the Red Soil mine on the Friday. He had been working in that mine for about fourteen days previously. Mr. Knowles, the overlooker, told the witness, and others of the men, on that Friday morning, that there was straw enough below, and they might fire it as long as they could stand it. The straw had been put down for the purpose of smoking out the Magpie men. Houdry, and some-

ral of the men were down, and Housely told witness, that he had had a fire in the sump for two hours, and had been near succeeding in driving out the Magpie men, but he had been compelled to leave it, because the smoke came round on himself in the waggon-gait. Witness was directed, by Knowles, to get a pitchfork, that was below, to fire the straw with, but he could not go where it was, on account of the smoke. He went down on the Sunday afternoon, but could not proceed far because of the smoke which filled the shafts and sumps. He was obliged to come back, and he found Knowles there, urging the men down to smoke out the Magpie men, and keep possession of the mine. Knowles told them, that those men who would not go down should not have any more work in the mine. Witness observed Motham, and another man, lying faint on the hillocks. Those hillocks are heaps of gravel and stone, lying near the mouth of the Red Soil shafts, which had been separated from the ore, and been accumulating for ages. These two men had gone down first, in the morning, and been brought up in an insensible state. Knowles told some one, who was assisting Motham, to leave him alone—he was only shamming.

Henry Knowles was then called, and stated that he was the acting superintendent of the Red Soil mine. He was at Manchester, on the Friday. He was at the mine on Saturday morning, and finding that the Magpie men had been firing and smoking the mine, he went to consult the superintendent-in-chief, who resided at some distance. On his return, he found the founder and climbing shaft full of smoke. He then ordered the

coes or covers to be taken off, to allow the smoke to escape. They continued full of it, however, until near four o'clock on Monday morning, when the shafts appeared to be clear. He had never told Smith, or any of the men, to fire the straw in the Red Soil mine, as long as they could stand it, for the purpose of smoking out the Magpie men; nor had he ever given any directions to that effect. He believed, that when he saw Motham brought up and placed on the hillocks, on Monday, he did say that he was only shamming, because he thought Motham always shunned his work. He did say something to the effect that he was a hypocrite. He wanted him to go down to the men in the mine, and he thought he was shamming illness, to avoid going down. Witness thought the shafts were clear of smoke on Sunday night. When he found on Monday, that the men were in danger of being suffocated below, he yielded to the persuasion of others to put the cover on the climbing shaft. Whilst that was open at top, the smoke and vapour continued to rush up through the shaft like a chimney, but he considered that by closing it the smoke would be driven back on the Magpie men, whose smoke it was, and upon whom, it ought to be put back. He, therefore, put the coe on the shaft, and sodded it down. The witness described the appearance of the deceased when brought up, and also the state of the mine.

George Fiddler, a youth about fifteen years of age, stated that he was at the house of the prisoner Joseph Baker, on the Sunday morning the 1st. The prisoners, Sutton and Daniel Harrison, were there, together with several men and women. He heard Hannah Baker

say in their presence, "There is a barrel of brimstone at the bottom;" she did not say, at the bottom of the mine, but merely "at the bottom." On Monday morning, between dark and day-light, he saw the prisoners Bunting and Thomas Bagshaw, and also Abraham Beresford and Samuel Turner, go down the Magpie mine, one after another, as fast as they could. One of them took down a chain, another a bar of iron, and another a bottle that would contain about three quarts. He had seen the same bottle in the master's apartment before, and heard Harrison say it contained oil of coal. The prisoner Harrison was proved to have purchased a bottle of oil of coal, or coal-tar, at Bakewell, on the preceding Friday.

The medical witnesses stated that the death of the deceased had been occasioned by suffocation, produced by inhaling noxious vapour. They were of opinion that the foul vapour had been produced from burning straw and oil of coal, or coal-tar; but they were satisfied, from the symptoms attending the cases of those who had recovered, that there was nothing sulphurous in the air which they had breathed. A blue mist, described by some of the witnesses, would have been produced by the effect of light on the smoke arising from the other combustibles above-mentioned.

The learned Judge, on looking over his notes, expressed his opinion, that there was not sufficient evidence against five of the prisoners,—namely, the two Harrisons, the two Goodwins, and Turner, to warrant their being put upon their defence. They were, therefore, ordered to stand down, and the case proceeded against the remaining five, who, on being called

upon for their defence, handed in a written statement, in which they complained of the mode of conducting the proceedings before the coroner. They ascribed the death of the deceased partly to accident, partly to his own rashness in going down the mine when he knew, or ought to have known, that it was full of foul air, but mainly to the improper directions and orders of Knowles, the superintendent; as it was well known, they said, that the Red Soil miners had, by his orders, made a fire of straw several times at the bottom of their mine. But whether that fire had been made by accident or design, the prisoners considered themselves justified in pulling down the waggon-gait, and thereby preventing the smoke from entering the Magpie mine. In consequence of that, and of the covers being kept on the tops of the Red Soil shafts by Knowles's orders, the smoke was confined in the Red Soil mine for two days; notwithstanding which Knowles had persuaded his men to descend, on Monday morning, after the two men who had just made the experiment returned, faint from having gone down half way. If due caution had been used, and time given for the foul air to pass away, with proper ventilation, &c., the unfortunate occurrence would never have happened. They denied solemnly having ever intended to do the Red Soil men any injury; and expressed their deep regret at the fatal event which had led to the present inquiry.

Witnesses were then called on behalf of the prisoners. Their evidence was first directed to prove an *alibi* on behalf of some of the prisoners; but the cross-examination tending to fix some of those

prisoners who had not been put upon their defence, that line of evidence was not persevered in. The proofs then went to shew that in 1832, the cross-vein in dispute, between the respective proprietors, had been alternately presented by grand juries, in 1832, as the property of the one party and of the other, and the question was yet undecided. One of these witnesses also stated, that he had been down the mine on the preceding Wednesday, and perceived that a straw fire had been kindled on the Red Soil side of the waggon-gait in question. Mr. Douglas Fox, surgeon, stated his belief, from the evidence he had heard, that if the mouths of the shafts had not been kept closed, no lives would have been lost. Attending to the description given, by the medical witnesses, of the appearances presented on a *post mortem* examination of the deceased, he was of opinion, that his death had probably been occasioned by suffocation, but it was by no means certain. It admitted of a reasonable doubt, because the appearances were perfectly consistent with the conclusion that death had been produced by concussion, in consequence of the deceased, either through faintness arising from foul air, or through the confusion and hurry of attempting to escape, having fallen down, and thus produced a shock of the nervous system.

The Jury acquitted all the prisoners.

PRIVY COUNCIL, JUDICIAL COMMITTEE, JUNE 20.

The Thetis, Treasure—Salvage.

This was an appeal from a judgment of the late sir Christopher

Robinson, in the Admiralty Court, in respect to a question of salvage of a large amount of treasure shipped on board his majesty's frigate, *Thetis*, which was lost at Cape Frio in 1830. (See last vol. Chron. p. 55.)

In 1830, the *Thetis* took on board at Lima and other ports in South America, treasure of the value of about 810,000 dollars. She sailed from Rio Janeiro for England on the 4th of December, struck upon a rock near Cape Frio, on the Brazil coast, floated into a small cove of the island, and sunk. Intelligence of the event was received by Admiral Baker, who immediately proceeded to the spot, and found part of the wreck above water, in a cove open to the S.W., whence the strongest gales blew, and surrounded by lofty precipitous rocks. The Admiral left his majesty's ship *Algierine* to guard the wreck, returned to Rio Janeiro on the 24th of December, and held a consultation with his officers as to the means of recovering the stores and treasure. In order to prevent the treasure from being washed into deeper water, he caused an immense net to be prepared of cables and hawsers, which was stretched under water across the inlet (480 feet), and held in a perpendicular position by lanyards attached to buoys, having a chain cable for its base, which adapted itself to the irregularities of the bottom. A diving bell could not be procured at Rio Janeiro; and captain Dickinson suggested the construction of a diving bell out of the iron water tanks used in the navy, with the hoses of Truscott's pumps. This suggestion was carried into effect, and the bell so constructed was conveyed to Cape Frio. The Admiral engaged the

services of Mr. Moore, an engineer ; and with these implements and aids, captain Dickinson, on the 24th of January, 1831, in command of the *Lightning*, (which was under orders to be employed in the collection of treasure or freight,) with detachments from the *Warspite*, the flag ship, was despatched by the admiral to Cape Frio, with directions to endeavour to save the stores and treasure. Previous to his departure, he was directed by admiral Parker to make use of suspension cables across the cove, from whence to lower the diving bell. On inspecting the localities, however, captain Dickinson determined to employ a derrick, or crane, 158 feet long, which, in the absence of better materials, his artificers constructed of masts, spars, and other pieces of the wreck, locked and fastened together in a very curious manner. It was very pliable, and was stepped into the rocks about twelve feet above the surface of the sea, its head being elevated forty or fifty feet, and it was secured in its position by ropes and chains to different parts of the rock ; the length of the stay from the peak of the derrick to the summit of the rock being 155 feet. Whilst the derrick was making, a small diving-bell, made of tanks and ship iron, was suspended from the launch of the *Warspite*, the admiral's ship, and about 120,000 dollars were thus obtained. After three month's labour the derrick was completed, and on the 12th of May, 1831, the great diving-bell was suspended from it ; but on the 18th, a gale and swell carried away a great part of the derrick, and the great bell was left at the bottom of the cove. Captain Dickinson at first contemplated the reconstruction of the derrick, but ad-

miral Baker being averse to this till the suspension cables were tried, captain Dickinson adopted that scheme, but with some modifications ; he, with great labour and exertion, levelled the summit of the S.E. cliff, and carried the *Lightning's* hempen cable across from the main cliff, from which the bells, which were continually damaged, lost, and replaced, were let down. This plan was not, however, put into practice till October, (captain Dickinson being absent on service about a month at Rio) ; the bells were, in the mean time, lowered from launches, and a considerable quantity of rock was removed from the wreck. In November, captain Dickinson was attacked by a dangerous illness, brought on by exposure to the weather, incessant exertion of body, and anxiety of mind ; but he recovered and resumed the operations, which had been suspended during his illness. The weather now became stormy, so that the service could only go on at intervals. In February, 1832, admiral Baker visited the cove, where he remained ten days. The service continued till the beginning of March, up to which time about 588,000 dollars were recovered : captain Dickinson was then recalled, in pursuance of orders from the Admiralty, directing the *Lightning* to proceed to Rio. On behalf of admiral Baker, it was alleged that captain Dickinson had reported " that he did not think it at all likely that any considerable quantity more of the treasure could be obtained, and suggested that it was not worth while to pursue the enterprise any further." The *Algerine*, captain de Ross, was ordered to replace the *Lightning* at Cape Frio, and continued the service, which captain

de Ross accordingly continued from the 6th of March till the 24th of July, and recovered 161,000 dollars. The working parties having by this time completely cleared down to the granite bottom of the cove, and examined the rocks amongst which the treasure had lodged (the packages having broken, and the bullion become imbedded in soft matter,) the salvage service was completed, after eighteen months labour, by the recovery of the treasure, amounting in the whole to the value of 739,000 dollars, besides stores.

The parties claiming salvage were, admiral Barker and captain Dickinson, who, although both interested in maintaining the claim for salvage against the owners, were at issue as to their respective proportional claims in distribution; captain de Ross and the Algerine's officers and crew; the owners of the treasure or the underwriters; and, lastly, the Admiralty, claiming a compensation for wear and tear of the public stores.

Admiral Baker's statement set forth, that, on receiving intelligence of the disaster, he directed his immediate attention to the recovery of the treasure and stores; that he devised the net, and provided captain Dickinson with stores and materials on his own responsibility; that he employed an artificer at his own expense, and directed captain Dickinson to use suspension cables, which would have been a more effectual expedient than the derrick; that captain Dickinson acted under his (the admiral's) orders and directions; that he (the admiral) was in communication with the committee at Lloyd's on the subject of the service; that the whole responsibility and expense of the undertaking devolved

upon him, and the whole loss, in case of failure, would have been his.

Captain Dickinson's statement set forth the particulars of the service performed, under his immediate orders, from January, 1831, till July, 1832; the excessive labour and exertion of all concerned; their privations and sufferings from exposure to the climate, bad provisions, bad lodging, clouds of sand infecting their food and injuring their lungs, diseases, casualties, the chigres (insects which eat sores in the body); and the peculiar difficulties and anxieties of the service; that he originated the idea of recovering the treasure, which was universally considered a total loss, and that his project was spoken of as wild and visionary; that without the apparatus and machinery contrived by him the treasure must have been irrecoverably lost; and that the execution of the salvage service was entirely dependent on his skill and resources. He consequently claimed to be considered as a principal salvor.

The case set up by the owners was, that, though the service was a meritorious one, there was no very extraordinary degree of merit in it; and that the salvors were officers in the public service, and therefore not entitled to remuneration as private salvors were.

The claims of captain de Ross and his party were not disputed.

The judge of the Court of Admiralty, on the 20th of March, 1833, after declaring that the service had been carried on with a spirit of perseverance, energy, and exertion, during a period unprecedented in point of time, and that the service was one not easily surpassed in merit, and unequalled in respect to the amount of property saved, decreed

the sum of 17,000*l.* for salvage, together with the expenses of the salvors, and the demand of the Admiralty; and directed that, after paying 1,000*l.*, in various proportions, to certain persons, in addition to their shares, the residue of the 17,000*l.* should be distributed as follows:—to admiral Baker, the share he would be entitled to as a flag officer, under the order in council of 1827, and the remainder amongst the commanding officers and men of the *Lightning* and *Algerine*, rateably according to the value of the treasure saved, and according to the period of their service, and the officers and men of the *Adelaide*, up to the 31st of May, 1831.

From this judgment, captain Dickinson appealed on the ground that the treasure salvaged was derelict, and there was no instance of so small a proportion of derelict property being awarded to salvors in such cases; that admiral Baker was not entitled to the share allotted to him; and that the claim of the admiralty for indemnification was unprecedented and ought not to be allowed.

Admiral Baker joined in the appeal of captain Dickinson against the smallness of the sum allotted for salvage, and prayed that he might be adjudged one-eighth of such further sum as might be allotted. No appeal was made by captain de Ross and the officers, and crew of the *Algerine*.

The hearing of the appeal commenced on Thursday, before the right hon. the vice-chancellor, the right hon. sir John Nicholl, the right hon. sir J. B. Bosanquet, and the right hon. T. Erskine.

Their lordships heard Dr. Adams and Mr. Alexander for captain Dickinson, his officers, and

crew; sir Edward Sugden and Dr. Lushington for sir Thomas Baker; and the king's advocate and Mr. Follett for the owners. After twelve hours hearing,

The vice-chancellor delivered the judgment of their lordships. Without going through the facts of the case, it was sufficient to say, that their lordships were unanimously of opinion that a sufficient reward had not been awarded to admiral Baker and captain Dickinson, his officers and crew, the only persons who had appealed against the decree; and that, considering the length of the service, and the labour and exertions of the sailors, it was not too much to allot to admiral Baker and captain Dickinson, his officers and crew, 12,000*l.*, in addition to the sum allotted in the decree as it stood. Their lordships were, therefore, of opinion that the decree, in point of form, must be reversed; but they directed that the expenses of all the proceedings should be deducted from the property, as the court below had directed; that the further sum of 12,000*l.* be added to the salvage already allotted to admiral Baker and captain Dickinson, his officers and crew, to be divided according to the order in council of 1827, the effect of which was to give admiral Baker one-eighth of the sum, captain Dickinson two-eighths, and the remaining five-eighths to be divided in the manner directed in the said order. Their lordships were of opinion, that not only did the length and arduousness of the service justify this increase of the sum which had been allotted, but that the giving the increased sum was very much in the spirit of previous decisions, which had allotted one-third and one-half in such

cases. The amount recovered to the underwriters for the owners was 157,000*l.* The Admiralty expenses were 13,800*l.*; the expenses of agency 12,000*l.*; and 17,000*l.*, the amount of salvage already allotted. These sums, together, made 42,800*l.*; adding thereto the sum now given, the whole would be 54,000*l.* and a fraction, which sum would be somewhat more than one-third of the gross treasure recovered.

YORK, JULY 19.

"Morrison's Pills."—Charge of Manslaughter.

George Webb, a respectable-looking middle-aged man, was placed at the bar, charged with the manslaughter of a young man named Richard Robinson, by administering to him large quantities of gamboge, aloes, colocynth, and other drugs. The allegations were varied by numerous counts in the indictment.

The deceased was a young man of about twenty years of age, apprentice to a Mr. Sowry, linen-draper in York. He was taken ill, and the prisoner, who was an inn-keeper in York, and an agent for the sale of "*Morrison's Pills*," was sent for to attend him. On Friday, the 20th of June, it was discovered that the small-pox had attacked the deceased. The prisoner solely continued to attend him. In the course of the illness, he gave the deceased no less than three doses of 10, 15, and 20 pills respectively. These produced very copious evacuations, but "*the pills*" were still administered, and the prisoner said medical aid was unnecessary. On the Thursday following, the mother of

the patient was sent for, and sat up with him on Friday night. The prisoner said, he was doing well. On the Friday morning, the lad was evidently in a sinking state; his extremities were cold and clammy. Medical aid was then called in, but it was too late, for he died that afternoon: and the coroner's jury returned a verdict of "*Manslaughter*" against the prisoner.

Samuel Robson.—Is an apprentice to Mr. Sowry. The deceased was in good health previous to the 20th of June. On the Tuesday, he was attended by the prisoner. Witness went and fetched five packets of the pills, either by the direction of Sowry or the prisoner, who called several times between that day and Friday, but no medical man attended during that time. On Friday, about eleven o'clock, Mr. Allen, surgeon, attended him.

Mary Brittain.—Is servant to Sowry. On the Monday night, the deceased said, he was very poorly. He died on the Friday week following. On Tuesday, pills were given him. He continued ill, and desired to have the prisoner sent for. On the Tuesday morning, deceased said a rash had come out and gone in again. Witness never saw the prisoner give him any of the pills. Deceased vomited and purged two or three times a-day, but did not complain of pain. He had no appetite, and was thirsty. The prisoner felt his pulse.

Joseph Hugal examined. — Is journeyman to Sowry. Deceased had the small-pox. Witness did not see him take the medicine, but saw the prisoner there two or three times a-day. When prisoner returned from deceased, we inquired as he passed the shop, how dece

Mrs. Whip was recalled to identify the pills.

Mr. West received the two boxes of pills on Saturday, the 5th of July, and now produced the boxes numbered 1 and 2. He analyzed them by a series of not less than 200 experiments, the result of which was as follows:—The pills No. 1 averaged $2\frac{1}{4}$ grains each pill, and were composed of aloes and colocynth, together one grain, but in what proportion he could not ascertain; gamboge half a grain; and cream of tartar three quarters of a grain. There was also a small portion of ginger, but not sufficient to affect the weight. The pills No. 2 averaged three grains each, and contained, of aloes and colocynth, one grain; gamboge one grain and a half; cream of tartar half a grain; and ginger as before.

Cross-examined by Mr. Pollock. —I examined about fifteen pills. The analysis I most rely upon was one of two pills each. I first dissolved them in alcohol, and obtained a yellow colour, which I afterwards verified to be gamboge. There were crystals formed. These proved to be cream of tartar. The aloes I could discover by the taste and smell, which it is impossible to disguise. I know no chymical test to rely upon for the colocynth. I picked out fragments of it from the pills, which I think no chymist could mistake. I first ascertained the ingredients of which the pills were composed, and next the quantities of each ingredient. To ascertain the quantities, I first separated the cream of tartar contained in two pills, by saturating them at a mean temperature, and having thus got rid of the other ingredients, weighed it. The experiment would show rather too little than too much, and I allowed 3-10ths of a grain

for waste. I then obtained the gamboge by making a precipitate with sulphate of copper, and am confident there was above half a grain in a pill. There might be three quarters of a grain; a quarter of a grain is on the safe side. I believe there was more than a quarter of a grain. There remained one grain for the aloes and colocynth, which I could not separate. The quantities in the pills No. 2 were ascertained by a similar process.

The statement of the prisoner before the coroner, in which he fully admitted having administered the pills, was then put in, together with his letter to the witness Robson, and read.

James Allen examined.—Is a surgeon in York. Was sent for to attend the deceased on Friday morning, the 28th of June. The prisoner was there. Deceased complained of pains in his head and stomach, and was throwing his arms about very restlessly. He was labouring under a severe confluent small-pox. His whole body was then in a cold perspiration. He was in a very dangerous state. I apprehended death almost immediately. I inquired into the treatment, and the prisoner told me what had been given him. I returned in two hours. He was then insensible, and died in half an hour after that. Drs. Wake and Balcombe, Mr. Matterson and myself, afterwards opened the body. We examined the stomach and bowels particularly. They were much inflamed, the stomach approaching to mortification in the cardiac. I believe he died of small-pox, most probably aggravated by the treatment with drastic purges which he received. There was appearance of piles in the recti

most probably produced by the same cause. A great proportion of the cases of small-pox which terminate fatally do so on the eighth day. I should not have looked for death on that day in the present case, because the pox was then matured, but if at all, during the secondary fever, between the 11th and 17th days. Drastic purges are decidedly improper, because they lessen the powers of life, already greatly reduced by the disease. The most proper treatment must, in a measure, depend upon the constitution of the patient and the degree of excitement he is under. Morrison's pills are improper, because they tend to depress the powers of life, and to produce inflammation in the stomach and bowels. Giving several doses would, in my opinion, tend to accelerate death. The window being opened on the Friday did no injury.

Mr. Matterson, surgeon of York for twenty-nine years, assisted in examining the body. In small-pox purgatives are to be given with great caution, and of the mildest kind. Gamboge and aloes are not at all proper. The exhibition of them would be very likely to accelerate death.

Dr. Balcombe.—The probable cause of the deceased's death was small-pox, heightened by the treatment. Gamboge and colocynth might be taken in small quantities, but he would not administer them at all, especially if fever was high. They would produce inflammation, and might so accelerate death.

Dr. Baldwin Wake.—Has been a physician twenty-six years. Assisted in the *post mortem* examination of the body. Was struck with the appearance of inflammation in the stomach, so much so, that if he had not known the de-

ceased had been labouring under small-pox, he should without hesitation have referred the death to the inflammation alone. He called the attention of the other gentlemen to it at the time. He should have said the inflammation was caused by a virulent poison. If previous inflammation existed, gamboge was of all things most calculated to increase it. There is not much harm in the aloes, but the pulp of the colocynth is an active vegetable poison. Drastic purges are highly improper in small-pox. He attributed the death to the inflammation of the stomach and bowels, and to the strong drastic purges which had been administered.

Mr. Pollock submitted that there was no case to go to the jury, and contended that the charge of felony could not be supported. It mattered not that the prisoner was not a licensed practitioner, especially as there was not only a total absence of malice, but, as was admitted, a most humane and anxious desire to cure and to heal.

The Lord Chief Baron (Lord Lyndhurst) stated, that if any person, whether a licensed medical and surgical practitioner or not, acted ignorantly in administering strong and improper medicines, the law would reach him. He should leave it to the jury to say, whether the death of the deceased was accelerated by the administering of these pills to him by the prisoner; if they found so, the prisoner was guilty of manslaughter.

The prisoner being called upon for his defence, read from a written paper a statement of the cure of his wife and one of his children, when other aid had failed, by these pills, and also receiving benefit from them himself, he was satisfied

to become an agent for the sale of them, and had been the means of administering benefit to thousands. When the cholera was in York, the deceased was attacked by it, and was very shortly cured by the pills. On these grounds, and from motives of regard to the deceased, he was induced to administer them, and did not believe that they had caused his death.

Mr. Pollock then called a great number of witnesses for the defendant; among others, the son of Mr. Morrison, the proprietor of the celebrated pills, and Mr. Mont, his partner. The latter admitted, with reluctance, on cross-examination, that the pills did contain gamboge. Among the witnesses were many persons who professed to have received great benefit from them, or to have performed strange cures by means of them. A great many respectable witnesses gave the prisoner the highest character. He was nevertheless found *Guilty*. The sentence was six months' imprisonment.

MEATH ASSIZES,
JULY 3rd.

Michael Devine, James Slevin, and Patrick M'Kenna, were arraigned, the first for the murder of Thomas Cudden and James Bunn, at Rathkenny, on the 5th of March, 1833, and the other two for inciting him to commit the act. Devine, a miserable-looking man, upwards of 70, apparently labouring under much anxiety, and Slevin, a young man, of about 39, were put on their trial. Patrick M'Kenna was ordered to stand aside for a separate trial.

James Slevin was a tenant of Edward Thomas Hussey, esq., on

his estate of Rathkenny, where he held 100 acres at a rent of something above 200*l.*, which he paid punctually. In 1827, he had a lease of the demesne, house, and garden, granted him, which, it appeared, Mr. Hussey had not a right to do without the concurrence of his son, who, on his part, desired that he and his father should retain a part of the house, the orchard, garden, and some land about the house. Slevin was dissatisfied with this "renewal with reservations." Mr. Hussey offered him some other land at a distance which would soon be out of lease. Slevin refused, and, in 1828, accepted the second lease, which left the Hussey family in possession of part of the house and garden, where they occasionally (and Slevin constantly) resided on terms of a mutually bad understanding. To increase it, they had a quarrel about rent, and Slevin paid it up to the day on an implied fear of his cattle being driven to pound for sale. Further, he had spoken against the tithe system at one of the popular meetings; his speech had been reported to Mr. Hussey, who thereupon told him his mind upon the matter, and informed him, moreover, that he had reported him to Mr. Blackburne, a neighbouring magistrate, who had, in his turn, reported him to the attorney-general. Thus the differences of these joint tenants of one house grew wider every day. Devine was a poor under-tenant on the same estate, who, it was sought to be proved, had been employed by Slevin, with others, to assassinate Mr. Hussey. The murdered James Bunn was steward, and his unfortunate companion an under-tenant to Mr. Hussey. They met their fate in a mistake, under the following singular circumstances: — Mr.

Hussey was leaving Rathkenny on a short visit to England, unknown to his tenantry, and on the 5th of March had driven in his gig, with James Bunn, to reach the Monaghan coach at a cross-road, about a mile and a half from his house, where he intended to have left the gig to be brought home by his steward, and to proceed to Dublin in the coach. It appeared, both from the testimony of an approver (John M'Kenna, a tenant on the estate) and from the confession of Michael Devine (written while in gaol, under hope of pardon, held out by a fellow-prisoner, an apothecary) that these two wretches, together with a third, named Andrew Callon (escaped to America), had laid in wait behind a hedge for Mr. Hussey on his expected return in the gig, to shoot him with a blunderbuss, which they said they got with the requisite ammunition, from James Slevin. Mr. Hussey had, however, missed the coach at the cross-roads, and had driven on with his steward three miles and a-half further to Slane, where he overtook the coach, and proceeded to Dublin, leaving the gig to the care of James Bunn, who returned in the dark of the evening to the house at Rathkenny, taking with him for company the tenant, Thomas Cudden, whom he called for at his house as he passed. The assassins seeing two men returning in the gig, who they had no doubt were the same that went in it a few hours before (though the darkness prevented them from distinguishing their faces), fired the blunderbuss at them heavily loaded with slugs, and at one shot killed both their victims, conceiving they had thus destroyed at once the obnoxious landlord and his no less hated steward. The alarmed horse

dashed on with the gig and the murdered men to the house, where Slevin and the servants found them both quite dead, Bunn pierced with fourteen slugs and Cudden with five (which were subsequently extracted by Dr. O'Brien, and exhibited in court), besides others lodged in the lining and cushions.

The principal circumstances, which appeared to connect James Slevin with the transaction besides those already mentioned, were—1st, his positively denying (at the time he was arrested, and gave up his arms to George Despard, esq., stipendiary magistrate) that he had at any time any other arms than those of which he gave a list, concealing the fact of the blunderbuss having ever been in his possession, though it was afterwards proved that he purchased it at Truelock's shop in Dublin, sent it to the Navan coach-office, and finally lent it to Andrew Callon (the escaped assassin) by the hands of John M'Kenna (the approver), whose son afterwards gave it up to the magistrates. This latter fact of the loan, however, rested on the testimony of the approver alone; 2nd, the anxiety displayed by Slevin respecting Mr. Hussey's return in the gig, or otherwise. Carney (Mr. Hussey's driver) stated that he saw James Slevin in the course of the day; he came to the door of Rathkenny-house, and asked witness if he could see Bunn. Witness called Bunn. Slevin asked him, when he came, could he see Mr. Hussey? Bunn asked Slevin would he tell Mr. Hussey that he wanted to speak to him? Slevin replied that he had heard among the men that Mr. Hussey was going to England and all he wished to know was, whether it was true, or was he to come back

in the gig that evening. Bunn told him that Mr. Hussey would come back that evening, and that he was not going to England.

Devine made no defence. Slevin produced E. Grainger and A. H. Pollock, esqrs., magistrates, who gave him an excellent character.

The chief approver, John M'Kennan, on his cross-examination by Sergeant O'Loughlin, acknowledged that he heard of money being offered for information. Heard there was 1,000*l.* offered. Would rather shoot Mr. Hussey than get 1,000*l.* Would shoot six men to save his land. Would not kill 1,000 men to save his own life; after some hesitation, he said he would kill 500 men to save his own life. Believed there was a God. Knew he was forbidden to commit murder, and yet he would kill two men, at all events, to save seventeen acres of land. Would not swear falsely against any one, but would commit murder to save his seventeen acres of land. Would rather take a false oath than be hanged.

The jury retired, and returned in about half an hour saying, they agreed as to one of the prisoners, but could not agree as regarded the other. They were locked up all night, and on the following day found Slevin *Not Guilty*, and Devine *Guilty*.

SUMMER ASSIZES, WESTERN CIRCUIT, JULY 22, 23, 24, and 25.

Doe Dem. Wollaston, v. Barnes.—
Forgery of a Will.

This was an ejectment brought by the coheirs at law, against an alleged devisee: and the question was whether or not a clergyman of the name of Clavell had made a will, by which he had devised es-

tates of the value of upwards of 2,000*l.* a-year to the defendant, who was his bailiff at the time.

Sir James Scarlett, in support of the will, called the following witnesses:—

Mrs. Elizabeth Churchill.—I am a widow. My husband had been a silversmith in Dorsetshire. I had three children, William, Frances, and Elizabeth. My daughters and myself kept a school in Dorchester. It was discontinued on account of the ill-health of my daughter Frances. I knew Mrs. Richards and Mrs. Frampton. In 1830, I received a letter from Mrs. Richards, the sister of Mr. Clavell, which was brought by Mr. Voss, who was bailiff and tenant to Mr. Clavell. (A letter of the 12th April, 1830, was read, in which Mrs. Richards begged Mrs. Churchill to go to Mr. Clavell as his housekeeper.) That letter was delivered to me at Salisbury, and I went the next morning to Smedmore (Mr. Clavell's house). My youngest daughter was then in Salisbury, and my eldest at Sherborne, as a private governess. In about eight weeks after, Mr. Clavell told me to invite my daughters to come and see me. My daughters came in a week or a fortnight after. They stayed a month. While they were there, I heard of a school at Corfe. I took that school for my daughters. My eldest daughter, in September, 1831, became ill, and Mr. Clavell desired me to invite her again to Smedmore, where she recovered very slowly. Mr. Clavell was very kind to her. Mr. Clavell then slept in what is now called the muniment room. In February, 1831, he removed into the alcove room. When I first went, no one was permitted to go into his bed-room. He made his own bed. When he removed to

the alcove-room, the housemaid made his bed. I never was in the muniment-room for a year after Mr. Clavell had left it. Dr. Heywood had attended him, and then Dr. Carruthers and Mr. Galloway. After Mr. Clavell's illness, I slept in a room within the alcove-room. When my daughter came, she superintended the servants and linen, and sometimes she wrote notes for Mr. Clavell, and read to him frequently. In 1830, Mrs. Richards and Mrs. Clavell came on a visit to Mr. Clavell—afterwards Mr. Pleydell and his two daughters came there. Mr. Pleydell was Mr. Clavell's sister's husband. Colonel Mansell afterwards came in the latter part of the summer—they each stayed a few days. I believe Colonel Mansell never visited him again. He used to call Mrs. Richards, Sophy. I have heard him say Voss neglected his farms. I recollect Mr. John Barnes coming into Mr. Clavell's service in October, 1831. There were rooms prepared in the house for him. He acted as bailiff, and also rented a farm of Mr. Clavell. I recollect the brothers of the defendant coming to the house. I was in the alcove-room with Mr. Clavell. My daughter told him they were come. Mr. Clavell told me to order refreshment for them. My daughter prepared tea, and I went down and drank tea with them. On my return, Mr. Clavell sent my daughter to bring them up. Mr. Clavell shook hands with them. He took a paper out of his pocket, and said he wished us all to sign it. He opened it, and laid it on the table. He put on his spectacles and looked it over, and told my daughter to get pen and ink, and write what he dictated. He asked me the day of the month, and I told him the 10th

of April. He then told Fanny to write down "this 10th day of April." Then he signed it himself, and I made a seal with Mr. Clavell's seal; he took it up, and said, "This is my last will and testament," and put his thumb on or near the seal, and added, "I wish you all to sign it. Now, Fanny, as you wrote it, you sign it first." She did so. He then desired me to sign it, which I did. William Barnes signed it next, and then Samuel. He then folded it up, and put it in his pocket. He said, "I desire you'll not mention it, any one of you." We told him we would not. William and Samuel Barnes then went away. The defendant drank tea with us that night. Mr. Clavell was as well then as I had known him. This is Mr. Clavell's handwriting to this seal. This is my writing, and the body of the will is my daughter's writing. There was an impression of the seal attached to his watch. I had not before heard of the will having been written. I could not learn from my daughter the contents of the will. I asked her, and she said, "Don't ask me, mother, I cannot tell." Mr. Clavell became ill in the latter part of April. He had pains in his legs. Mr. Galloway was sent for. On the 1st of May, Dr. Carruthers was attending me, and Mr. Clavell said he would see him also. He continued to get worse, but went out in an open carriage to the latter end of May. Dr. Heywood was afterwards sent for. Mr. Cope was also sent for. Mr. Clavell died on the 14th of June. Some instructions for leases were executed by Mr. Clavell the latter end of May. I attested them. They were given to Mr. Barnes to take to Mr. Dugdale, to prepare the

leases. I heard Mr. Barnes, two or three days before Mr. Clavell's death, ask him if he had made his will; he said yes. I asked him where it was, and he said something which I could not understand, and never spoke more about it. After Mr. Clavell's death, Mr. Morris was sent for, and he sealed up all the boxes and drawers, and the door of the muniment-room. Colonel Mansell came in the evening. I saw Mr. Bond with him. Colonel Mansell sent for me to accompany him to the muniment-room. We went into that room; there was a box there with papers in it. The colonel took out a paper or parchment, and said that was Mr. Clavell's will. Colonel Mansell and Mr. Bond went into the closet in that room. I retired to my own room. Beds were made up for colonel Mansell and Mr. Bond. I left on the Thursday after the funeral, which took place on the Friday after Mr. C.'s death. Mr. Richards and Mr. Bartlett came there the day after the death. Colonel Mansell asked if there had been an attorney, and I said there had not; he told me he understood Mr. Clavell had destroyed some papers, and asked me if there was a will among them. I told him I did not know. I had my goods there in a garret. Eales had some of his grandmother's property there; Mr. Bartlett's clerk took an inventory of my goods; they were removed the Monday after the funeral. Colonel Mansell and Mrs. Richards knew they were going to be removed, and sent Mr. Bartlett's clerk to take the inventory of them. My goods were taken to a cottage I had hired of Mr. Barnes. I went to defendant's father's at West Lulworth. Joseph Eales was on a visit to Mr. Clavell at the time

of his death. Mr. Clavell had frequently desired me to give meat, wine, &c., to Eales when he went away, and I gave him some on the occasion of his leaving. I recollect some constables coming to Mr. Barnes's. My daughter came in just before them, and ran up stairs. They searched the house. They searched my box. They took away the defendant and his brother William as prisoners. I went before the magistrates on the 15th of July. My goods, which I had sent to Salisbury, were brought back. On the 2nd of October I was fetched by my daughter to Mr. Barnes. The next day I heard of the will. I learned my daughter had it. I saw it at Doctors'-commons, which was the first time I had seen it since its execution. There was an advertisement for the will. Mr. Clavell was a most amiable man, and I considered him very clever. I have heard him say, that in early life, when he was only a poor clergyman, he was not respected by his relations, and that they noticed him now for the sake of Smedmore. Some money was sent to Mrs. Richards shortly before his death.

Cross-examined.—I do not recollect that Mr. Clavell's family complained that I did not let them know anything of his state of health. I never heard Mrs. Frampton complain that I kept the family away. I never heard Mr. Clavell boast of his descent, or the antiquity of his family. I never was cook in any family. I did attend to the cooking. I never told Mr. Clavell that Voss was a bad farmer, that I can recollect. I don't recollect that Barnes ever told him so. Before Voss was discharged, his premises had been searched for smuggling. Mr. Clavell told me to write

to the officers to search. Nothing was found. Mr. Clavell had received some letter about it. I know nothing of that letter. I never wrote an anonymous letter. Upon my oath this letter is not my writing, and I never saw it before, nor do I know who wrote it. I never went with Mr. Clavell to Mr. Bartlett's about leases. Mr. Clavell had not had fits. He stumbled over a stone in March and fell down. I frequently sent things to my daughters at Corfe by Mr. Clavell's desire. I always sent them openly in my own name. My husband had been a servant before he became a jeweller. He was unfortunate in 1819. Mr. Clavell could read without difficulty. He did not like to sign things before strangers, but he signed the leases without saying a word. His hand was not guided by any one on this occasion. He wished Barnes health and success. This is the seal which was used both for the leases and the will. They stayed in the room about ten minutes when the will was executed. I never saw the will taken out of a box. I did not say to Colonel Mansell or Mr. Bond that I had never been in the muniment-room before in my life. I never told colonel Mansell or Mr. Bond that Mr. Clavell had not made a will that I knew of. I told him I did not know where it was. I said I was sorry there was no will to be found, as he had promised to provide for me, and I know he had done so. I asked Mr. Bartlett, if he had not got the will. I did not cry before Bartlett and say if Mr. Clavell had not made a will, he had behaved very ill, and not like a man of his word. I did not say to Bartlett that if he (Bartlett) had not prepared a

will, I believed Mr. Clavell had not made one at all. I did not tell Hooper that Mr. Clavell had died without a will. I know Green. I did not state to him that Mr. Clavell had made no will. I never said in the presence of Sarah Harris that Mr. Clavell had made no will. I do not know what money there was in the house when he died. I gave up all the money I had. I don't know that any boxes were removed out of the window at night. The waggon came for my goods at ten o'clock in the morning, and stayed till two or three. I do not know of Best taking things in the night. I never told the postmaster that I would pay him if he would enclose Mr. Clavell's letters to me. Two letters had been broken open. I never was in the habit of opening Mr. Clavell's letters. It never occurred to me to be proper, when the inquiries were going on, to state that a will had been made. I had suffered such persecution that I was afraid to say a word. I had imagined the will had been destroyed. I was afraid to say, I had witnessed a will, because I could not produce it. Mr. Clavell had charged me not to name it, and I did not. Mr. Clavell told me in his last illness "If I did not provide for you, I should be a brute indeed." Vincent was discharged by a letter of mine; he was the footman. I never gave directions to Squib, Hockey, or Short, to go a certain way round to escape observation. Now I have spectacles I can say I have seen this letter before, but I do not know whose hand-writing it is. I never said that Mr. Clavell's relations should not be admitted while he was in his senses. I never called Mrs. Richards "Silly Sophy." I told Dr. Carruthers that Mr

Clavell was as helpless as a child, but I never told him that he was a mere child. He read the newspaper a week before his death.

This witness was five hours under examination.

Miss Frances Churchill.—I am the daughter of the last witness. (She then gave a detailed account of the mode in which she had lived, until she came to live at Mr. Clavell's.) I was ill when I first went there for some months. Mr. Clavell was very kind to me. When I got well, I used to sit in his room and read to him. He played with us at backgammon. I assisted my mother in the affairs of the house. I used to write letters for him, and sometimes copy papers for him. He appeared to have confidence in me. I have been acquainted with the Barnes's for some time. On Mr. Barnes coming home with me one day, Mr. Clavell told him that he had known his uncle and his wife's father. He asked him what family he had; he told him three sons and two daughters, and what their occupation in life was; and upon hearing two of them were good farmers, Mr. Clavell said the farmers near him were not good ones, and that he wished he had one of Barnes's sons. In March, I was sitting with him; he told me to get a pen and ink, as he wished me to write something for him. I got a sheet of letter paper; he told me it was not large enough; I then got a sheet of foolscap. He said, "Now, Fanny, I want you to write my will." I said I did not know the way, as I had never seen a will in my life, and asked whether it would not be better to have a lawyer; he said, "You are my secretary, now I will

make you my lawyer," and to write what he told me, and it should be as good a will as any lawyer could make. I suggested Mr. Bartlett; he said if he made it, the Pleydells would know it by the next morning, but if I wrote it, no one would know it. He took some parchment and papers from his pocket; he told me to begin writing, and he then dictated to me, and he told me to spell the words at full length. I got through about half that day, when he said that would do, and I read it to him, and folded it up and gave it to him. A day or two afterwards Mr. Clavell said, he wished I would finish it, and I did so by his dictation. I then read it to him and gave it him. About ten days after he applied again, and wished me to make some alteration. He took the paper from his pocket, and told me to write from the first to that part that related to Mrs. Clavell; and he then dictated a part, giving the rents and profits to Mrs. Richards for her life. I only got through part that day. I then read that to him. I wrote the witnessing part to it in small lines, and then gave it to him. I put the other in the fire. In a week or ten days after, he said he had forgotten something which he wished to add. I asked if I should write it again. He dictated to me what I was to say. I burned the second copy by his desire. I read over the last to him, folded it as a letter, and gave it to Mr. Clavell. He said he had been thinking whom he should have for witnesses, as he did not want any one who would tell. He then mentioned the Barnes's, and asked if I thought they would sign it? I had heard him say once or twice before that he would

give the property to Barnes. Mr. Clavell desired me to write for the Barnes's. I sent a note by the miller's boy to them on Saturday; they came on the Wednesday following, the 10th of April. I saw them coming, and told Mr. Clavell of it. He said they would want some refreshment. We then had tea, and afterwards, by his desire, we went up stairs. Mr. Clavell shook hands with them both, and said he had never seen William before, but had seen the house he was building. He took the will from his pocket, and said he had something he wished them to sign, and put it on the table, and told me to write the date. He then signed it. He then desired my mother to light a taper and seal it, which she did. He took it in his hand and said, "This is my last will and testament, and I wish you all to sign it;" and told me to sign it first, as I had written it. We then all signed it. This is the paper. He desired us not to mention a word of the circumstance. He then put the will into his pocket. Mr. Clavell was very well at that time. Sometime after this I was sitting by his bed-side; he took the will from under his pillow and said, "You know what this is?" I said "I do, sir." He said he wished me to seal it up. I took wax to his bedside, and he told me to seal it in two places. I put two seals on it with his coat of arms. I gave it him. He looked at the seals, and said, "Now, Fanny, I give this to you, and take care of it, and don't tell any one you have it." I asked what I should do with it? He said "Take great care of it, and keep it till I have been dead three or four months." I asked what I should do then? "Tell Mr.

Barnes he is appointed executor." I then folded it in a handkerchief, and put it in a trunk in my bedroom; it remained there till his death. He conversed as rationally on the day of his death as he had ever done. I recollect the constables coming to our cottage; they said they came to search for deal boxes and hams; they searched, and broke open my writing-desk, because I had not the key; one of them began reading my letters and papers; he said he had private orders to search for papers. The will immediately came to my mind; and I was going to walk to Mr. Barnes's, where my trunk was, but I went in a cart, and the moment I got there, I ran up stairs, and got the will and put it in my bosom, and kept it there two days and two nights. A guard was put round the house: I did not take off my clothes during that time. The impression was originally good, but is now defaced. After the alarm was over, I returned it to my trunk. On the 3rd of October I mentioned the will. I did not name it before, because I had promised Mr. Clavell to keep it a secret. I wished my mother to be present, and sent several times for her, and at last came myself for her. Mr. and Mrs. Barnes, Anna John, and Samuel Barnes, and my mother were present. I told them I had it, but did not produce it. I said Mr. Barnes was executor; he said he would consult Mr. Dugdale: he went there a day or two after. On the 12th of October we went to Mr. Dugdale; I produced the will, and gave it Mr. Dugdale: he advised Mr. Barnes to go to town and have it proved. There has not been any cohabitation or engagement between me and Mr. Barnes. I never mentioned

the contents of the will, or that I was in possession of it, till that day.

Cross-examined: — Mr. Barnes pointed out the advertisement inquiring for the will to me. I went from Smedmore to Mr. Barnes, and remained there about two months. I then came to my brother's at Dorchester, and stayed a fortnight, and then went to Salisbury, from thence to Lulworth, and then to London. I have been at Mr. Barnes's twice since for a day or two. I have been at his house for three weeks lately. My home is at Woolbridge. When I kept a school at Dorchester, John Barnes called occasionally with his sister. My mother lived with me at the time. He never came to us at Corfe but once. He never slept there. Miss Moore was at school with us at Corfe. She was not removed till I gave up the school. When I got to Smedmore, Mr. Clavell came to see me that night or the next day. I did not write this anonymous letter. Mr. Clavell showed it me at the time he received it. I most solemnly say upon my oath that it is not written by me, and that I never saw it till Mr. Clavell showed it me, and never received a letter from John Barnes. Mr. Clavell signed his name without assistance. I have heard Mr. Clavell say that he would take care of John Barnes after his death. I never said to Mrs. Florence that Mr. Clavell was quite in his dotage. I never had any talk with any one as to where I was to live when I was married. I told my mother, after I had said I had the will, that the property was left to Mr. Barnes, but I did not tell Mrs. Barnes so.

This witness was three hours and a half under examination.

Samuel Barnes, brother of the defendant.—I went with my brother John to Smedmore. We had tea, and then Miss Churchill desired us to go up stairs. We went up, and Mr. Clavell shook hands with us. The witness then detailed the circumstances attending the execution of the will in the precise terms given by the other two witnesses. I afterwards went to a church meeting. I was taken to Wareham three times, charged with carrying things from Smedmore.

Cross-examined. — Mr. Clavell told us not to mention the execution of the will, and Miss Churchill asked me not to mention it a few days after his burial. She said very likely they would take us up and make a piece of work about it, and we did not wish to be brought into question. Miss Churchill said in the family that she thought she should answer the advertisement.

William Collins Barnes corroborated the testimony of the former witnesses as to the execution of the will. They all concurred in stating, that the time of execution was between four and five in the afternoon.

The will was then read, by which he gave his estates to the defendant, and appointed him his sole executor, subject to the payment of some annuities. The will was attested by Frances Churchill, Elizabeth Churchill, and Samuel and William Barnes.

Joseph Eales.—I am grandson of Mrs. Eales, who was formerly house-keeper to Mr. Clavell. I lived there till 1831, and then went apprentice, but visited Mr. Clavell as often as I could. He has left me a legacy of 1,000*l*. I have known Mrs. Richards and Mrs. Clavell visit him three times.

Colonel Mansell stayed there twice. I have heard Mr. Clavell say that he had executed leases to Barnes and his father, and that it was out of any person's power to injure them now, and he would take care it should be after his death. He said he had been treated very ill by his relations, but that they wanted to come now; that formerly it was "John Richards," but now it was "dear uncle;" but he would take care they should not come there. He said he wondered at their impudence in coming there without having been invited. I have not a shadow of doubt but the signature to the will is Mr. Clavell's handwriting.

Cross-examined.—I was told that I was left 1,000*l.* on the 20th of September by Mr. Whit, who said that Mr. Clavell had told him he had left it me; but he was afraid it was a bad job about the will; I told Miss Churchill of it.

The reverend Edward Whit said I knew Mr. Clavell thirty years. I was his curate. He very rarely received visits from his relations when he lived at Knowle. I frequently dined with him when he was at Smedmore, and then I have met his relations there. He once told me that Mrs. Eales was dead; that he had left her 1,000*l.*, and he wished to know whether he could give it to her grandson without making a new will. Some time afterwards he told me to get a book upon wills. I afterwards found a similar book in his library. I told Eales that it was a bad thing for him that there was no will, because he would have had 1,000*l.* I had once a conversation with Clavell that left an impression he intended to leave me something. About two months before his death I heard him say to Mrs. Richards

"What, can't a man do what he likes with his own? I will, and that I'll have you to know, sister Sophy." I know his hand writing well. I believe this signature to the will to be his. I have no doubt it is his.

Cross-examined.—He told me I should find at his death that he had been a good steward of the Lulworth charity, and that it was at a bank. He did not say he should add half-a-crown to it. He generally used the term half-a-crown for a 100*l.* note. He said he would give me 500*l.* for dispendations, and at his death he should add two or three half crowns to it. He did not state that he had provided for the tower. If I have said so, it was incorrect. He proposed to allow 300*l.* a-year for the repairs, and I told him 50*l.* a-year would be sufficient. I did not learn from him that he had left the bulk of his property to his family. Within a month of his decease, when I called, I was told he was too ill for me to see him. After the death of Mrs. Eales he had a long illness, and I called and sent, but did not see him; and when I afterwards saw him, he said he had not thought I would have deserted him, and that he was never too ill to see me. I called three times in May, and Mrs. Churchill told me he had professional men attending him. I may have stated that Mr. Clavell told me whoever took his property should take his name, but I can't recollect what may have been taken down in writing in private conversations. He was a man of high aristocratic feeling, and proud of his descent. Six months before his death he expressed great anger at Barnes, and said if Barnes did not take care he should discharge

him. I certainly learned from Mr. Clavell that he had made a will long before March, 1833.

The reverend Graves Morris.—I was curate to Mr. Clavell fifteen years. I was sent for immediately on his death, and sealed up all his papers. When colonel Mansell arrived he broke them all open. The colonel told me he did not go to bed that night. Mr. Bond said he slept on the sofa. Mr. Bartlett came the next day. The signature to the will is Mr. Clavell's.

This was the material evidence on the part of the defendant.

Mr. Serjeant Wilde, on the part of the plaintiff, called the following witnesses.

Mr. Bond.—I am a clergyman and magistrate of this county. I heard of Mr. Clavell's death a little after eight o'clock in the evening. I accompanied colonel Mansell to Smedmore directly. John Barnes opened the door. I saw Mr. Morris, who met us in the hall. We went into the drawing room. Mrs. Churchill came in. Colonel Mansell asked her whether Mr. Clavell had left any verbal directions. She said not; or any memorandum, she said not. He asked her whether she knew where Mr. Clavell's will was? She said she did not. She said she knew nothing of any will; that he had never mentioned the subject to her, and that as far as she knew, he had not made a will while she was in the house; if he had, it was not with her knowledge; that he was very close in his private affairs. We then proceeded to search for a will, accompanied by Mrs. Churchill and Mr. Morris; we had sent for Mr. Bartlett, so that everything might be done properly; he did not come, and we proceeded to search without him. We searched the drawing room, and then went

to the muniment room, the door was sealed. We broke the seal, and Mrs. Churchill gave us the key, and said either that she had never been in the room before, or only once before; every part of the room was strewn with papers. We made a hasty search; no papers were taken out of the room. After we had searched for an hour, Mrs. Churchill went to bed. Colonel Mansell and myself went into the drawing room, and went to sleep by the fire in that room. We saw John Barnes in the cedar parlour about two o'clock that morning, he came into the room while we were there. No papers whatever were burnt or destroyed that night.

Lieutenant-Colonel Woodford.—I have heard Mr. Clavell speak of Colonel Mansell in very high terms as an officer, and spoke of him very feelingly and kindly. Mr. Clavell boasted of his family, coming over with William the conqueror. I have heard him speak of Barnes with no great respect.

Mr. E. M. Pleydell.—I married the sister of Mr. Clavell. There never was the slightest dispute between him and any part of my family, and I have reason to believe he was always happy when he was at my house, and I was always received by him in a most friendly manner. The last sleeping visit I ever paid was with my daughter to Mr. Clavell, in 1830. Nothing occurred to change our regard. Colonel Mansell married a daughter of mine, and has five children. Mr. Clavell stood godfather to his son John, about fifteen years ago.

Mrs. Sophia Clavell, the widow of Mr. William Clavell.—I visited Mr. Clavell at Knowle, and was on the best terms with him. I visited

him afterwards at Smedmore. I met the Mansell and Pleydell families there; he spoke of them with the greatest affection; we all continued on the same terms to the time of his death. In October, 1832, his eyesight was very indifferent; he wore a shade. I saw him read, but not for a long time together.

Charles Oldfield Bartlett.—I am a solicitor at Wareham, and am the attesting witness to this deed, dated 26th of June, 1817, granting an annuity by Mr. John Clavell to Mrs. Pleydell during her life. I am son and partner of Thomas Bartlett. I recollect Mr. Clavell's death. After the funeral I went there in search of a will. I said to Mrs. Churchill it was very extraordinary. She said "it was, and that if he had not left her something to enable her to live without going out to service, he had not acted well." I said "may not Mr. Dugdale have made a will?" She replied, "certainly not; for he only employed him in little matters." I said, "might not Mr. Filliter have made one?" She said, "Oh, certainly not, and if Mr. Bartlett had not made one, she did not believe he had made one at all."

Carrington Ley.—Mr. Pleydell lives in my neighbourhood. I frequently went to Wareham and met Mr. John Clavell; he generally inquired for Mr. Pleydell's family; he said, "how are my friends? when did you see my relations?" These kind inquiries continued till his death.

Lieutenant Moore.—I am in the preventive service. I was intimate with Mr. Clavell till within six months of his death. I heard him speak of his family in the highest terms. In consequence of a letter from Mrs. Churchill, I

went to Smedmore-house to search for smuggled goods, but found nothing. He said his property was large, and would go to his family.

Sarah Harris.—I was at Smedmore on the 26th of June, 1833, cooking for Mrs. Richards. On the following day I had a conversation with Joseph Eales and Mrs. Churchill. Eales said in her presence that Mr. Clavell had died without a will, and she said there was no will to be found, for Mr. Clavell made no will.

Ann Maidment.—I was served to Mrs. Richards. I went to Smedmore on the 15th of June. Mrs. Churchill told me Mr. Clavell had not made any will during the three years she had lived with him.

Thomas Cooper.—I worked at Smedmore. I recollect Mrs. Churchill going away. She told me Mr. Clavell had died without a will, and gave me 1s. to drink, because she was no more mistress of that house. I used to receive my orders from Mrs. Churchill, and after Barnes came I had them from him. I was at work on the 10th of April at Church Knowle. I went to Smedmore house about 3 o'clock in the afternoon, to let Mr. Barnes know what I was doing; he was not at home. Francis Knight told me he was not at home, and had not been there since the day before. I remained at Smedmore till five o'clock to see him. He did not come while I remained. I went after that to my father's. I saw Barnes on my way there at Steople, about seven o'clock in the evening. He was on horseback going to Smedmore. He spoke to Mr. Moore, who opened the gate for him. I did not see either of Mr. Barnes's brothers there while I was waiting.

Henry Cooper.—On the 10th

of April, 1833, I sold a cow to Mr. John Barnes at my house. He came about half-past five or six o'clock. He told me he had not been at Smedmore that day, but had left the day before and been all round the country. I made a memorandum of the sale on the 11th of April.

Sarah Cooper corroborated the testimony of the last witness.

Mary Purder.—My daughter was married on the 10th of April, 1833. Mr. John Barnes was at my house at Charlton that morning

Thomas Bascomb.—I am in the preventive service. On Wednesday the 10th of April, at eight in the morning, I went to inquire for Mr. John Barnes at Smedmore house. I saw Mrs. Churchill, she told me he was not at home. I went again twice that day, but was told he was not at home. Mrs. Churchill told me that Mr. Clavell had died without a will.

Cross examined.—I can't tell the month in which I communicated these circumstances to any one. I conversed several times with Voss about it. I can't recollect the day of the month; I went to Wareham to be examined on the day I went into the preventive service.

George Senwick, parish clerk of West Lulworth.—Our meeting was held on the 10th of April at four o'clock. I waited till after five o'clock before any one came. In about ten minutes Barnes and his son Samuel came in.

Matthew Randall.—I keep the Red Lion at West Lulworth.—Samuel Barnes and his father came there on the 10th of April, and William Barnes came in about half an hour after.

Mary Best.—Mrs. Churchill told me Mr. Claville had never made a will. Miss Churchill told me

she was in hopes there was something left to her mother. She cried and said she was sorry there was no will.

The letters of administration to Mr. Clavell, dated the 16th of Aug., 1833, granted to Mrs. Richards, and sworn under 25,000*l.*, was put in and read.

Robert Taylor, post-master at Corfe.—I received directions about Mr. Clavell's letters from Mrs. Churchill. I am acquainted with Mr. Clavell's handwriting. The signature to this will I believe not to be in his handwriting.

Cross-examined.—I doubt the signature to the lease being his as much. I should doubt this also (another lease). I should say this was not his (the presentation of the Lulworth vicarage to Mr. Whit). I believe this to be his writing (the instructions for the leases).

Mary Durden.—I was at Miss Churchill's school. Mr. John Barnes used to come in the evening, and the pupils were generally sent to bed when he came. I don't know whether he slept there. He was there very often.

Mrs. Fromage.—I live at Corfe I worked as a washerwoman at Miss Churchill's school. They kept one servant. I have seen John Barnes there often in the evening. I used to leave at 7, 8, and 9 o'clock. I have left him there. I never knew both the Miss Churchills go away together. Every Saturday one of them went to Smedmore. Mr. Barnes said when he was married I should have some bride-cake. Miss F. Churchill was present. He said he was going to have the farm near Smedmore as soon as he was married to Miss F. Churchill.

Elizabeth Stroud.—I was servant to Mrs. Clavell. I was at Smedmore. I did not see anything

particular between J. Barnes and F. Churchill. I told her I supposed Swalland farm would be where she would live. She said it was very much out of repair, and she did not think that would be the house, but Orchard farm. I knew at the time that John Barnes had those farms. She asked me if I would come and see her when she got there.

Cross-examined.—This was in August, 1832. It was not a jocular conversation.

L. S. Green.—I valued the effects of the late Mr. Clavell. While I was doing so, John Barnes claimed some hay, saying Mr. Clavell had given it to him. Eales claimed a boat. Colonel Mansell said, that was very odd, when Mr. Clavell's name was on it, and he would not give it up. He said he should not wonder, if Barnes was to claim the estate. He did not say he was once near having it.

W. Downes.—I was formerly footman to Mr. Clavell. I remember his paying a visit to Colonel Mansell in 1818. Mr. Clavell stayed there some days. There was a christening. When we got home Mrs. Eales wished him much joy of his son and heir. He thanked her, and said he had him called John Clavell, because he should not be christened twice, as he was.

Benjamin Warwick.—I am a seal engraver, in Regent-street, London. I have seen the seals on the will, as well as Mr. Clavell's seal. I have endeavoured to see if the seal was impressed with this seal, and it is my opinion that it was not. It has been impressed with some seal, the impression of which is smaller than this. There is something like an impression of a coat of arms. On the inside seal there is no impression whatever.

It is impossible that if this will had been about the person of any one for one day and two nights, it could have so effaced the impression. I have kept an impression near my person for the last seven days, and that has confirmed my opinion. The inside seal appears more defaced than the other.

Cross-examined.—I can see a neck of an animal, but I cannot imagine what it is. I cannot discover any similarity between that and the seal. There is an appearance of a shield and an animal's head. Some sealing-wax will become effaced much sooner than others.

George Day.—I am in the banking-house at Wareham. I knew Mr. Clavell. I have seen him sign a dozen times. I should think this signature to the will was not his writing. I paid him 300*l*. on the 30th of March, 1833.

Cross-examined.—I should not believe this to be his writing (the instructions to the lease). This is something similar, but I should have doubted it (the other instructions). There is something of his style to this (the lease). I can't say whether, if it had been to a check, I should have doubted it. I should think this was not his (the grant of the annuity to Mrs. Clavell, produced by the plaintiff.)

Thomas Bascombe, cashier of the Dorchester bank.—I was acquainted with Mr. Clavell's handwriting. This signature to the will appears of a lighter character than his. I should not like to pay a check with that signature. I should not believe it to be his.

Cross-examined.—I have expressed the same doubt before. There is a similarity. I should consider this more like it (the instructions for the lease). I should

believe it to be his. I think this is his (a lease to William Barnes). I should not believe this to be his (the other lease.) I think this is his (the instructions for Mr. Barnes's lease).

George Bramwell, of the firm of Dorrien and Co.—We received the dividends for Mr. Clavell. I have known his handwriting ever since 1817. I do not believe the signature to the will to be his writing.

Cross-examined. — I saw him write once, but often received letters from him. I don't think that we showed the checks to any one but Colonel Mansell's party. We refused to show them any more, because we were tired of it. This I believe to be his writing (the instructions). This is very much like it. I should think it was his (one lease), and this (the other lease), and also this (the grant of the annuity).

Thomas Bartlett. — I am an attorney at Wareham, and was concerned for Mr. Clavell. I prepared two or three leases for him. I saw him on the 30th of March and beginning of April at my office. The two Barnes's were with him. It was stated that they came to give me instructions for some leases to Messrs. Barnes. They said it was for 21 years. Mr. Clavell said "No, certainly not." He asked me if it was usual. I said no. He then said he would not grant them, for he would not part with his estate for so long a term, and he was exceedingly violent. They were contending between 21 years and 16 years for a considerable time. The ultimate instructions were for 16 years. Mr. Barnes said if he would grant the lease for 21 years, it would be an encouragement to them to improve. They spoke of draining to

Mr. Clavell, and it was agreed to have the usual covenants in the lease. No leases were prepared from these instructions. In all the leases I have seen in this county, and I have seen a great many, that covenant not to assign is invariably inserted. Down to the time of Mr. Clavell's death nothing had occurred to interrupt our connexion. I was never concerned for Mr. Voss in the dispute between him and Mr. Clavell. The two letters, the one anonymous, the other from Mr. Clavell, I received. I also received this letter from Mr. Clavell, thanking me for my exertions in the affair with Voss. I have received the rents from 1829. Mr. Voss had been his bailiff for many years. No differences arose between Mr. Clavell and Voss that I heard of, until the Barneses came there. I have heard him say he was greatly indebted to his tenant, Voss, for the exertions he made, and he had done all his business gratis. From my knowledge of Mr. Clavell, I should not think him capable of dictating such a will as this. He, certainly was not a man of business, and, undoubtedly, inferior to the generality of gentlemen. I very much doubt that this signature to the will is Mr. Clavell's writing. I do not believe it to be his.

Cross-examined. — I have seen the will before. I think this is his writing (one of the leases). I do believe this is his writing (one of the instructions), and this (the other); and this I must believe to be his writing, though it differs (the other lease). In 1829, he altered the formation of his C. This copy of Mrs. Eales's will is, certainly, in his writing: she died in 1830.

Re-examined. — From 1817 to 1829 he affixed his name to all in-

struments with a long C without any deviation; and from 1829 he adopted the small C.

George Filliter.—I am a solicitor at Wareham, and manager of the bank there. I was acquainted with the handwriting of Mr. Clavell. I believe this signature to the will is not his.

Cross-examined.—I think this is (the instructions). I have heard the witnesses say what they had been examined to. I am inclined to think this is his (a lease); I think this is more like his writing than the other (the lease).

Mr. Bartlett re-called.—There is invariably a dot put between the J. and the C.

Lord Denman.—But I don't see it.

Witness.—Oh, I see it's put in the wrong place here. I am sure he was agitated at the time. This is his handwriting, but there is not the dot, nor is the C made in the same way. I went to the house the morning after his death. Mrs. Churchill told me that if I had not made the will, she did not think he had made one. I found in the small box an old 50*l.* note and some shillings, which, with what I received from Mrs. Churchill, made 75*l.*, and that of a man of 3,000*l.* a-year.

George Coulson.—I am a clergyman. Mr. Clavell was not a man of splendid capacity. He was inferior to most men. I should say he was not of a capacity to dictate such a will. The signature to this will is not his writing.

Cross-examined.—I have seen him write. I believe this to be his writing (the instructions). I

never saw him write on parchment, and, therefore, I cannot form any belief as to this (the lease):

—Witchell, clerk to the late Mr. Pike, a coal-merchant. I paid money to Mr. Clavell for tithes. I believe this signature to the will is not his.

Cross-examined. — I went to London to see it before. I believe this is not his handwriting (the instructions). I cannot say this is (other instructions). I believe this is (a lease). I believe this is (the instructions he had first said he did not believe was his). I believe this is his (this was the will folded up in a different way).

Several letters were read which had been written by Mr. Clavell to some members of his family, couched in the kindest manner.

Lord Denman summed up. The question for the consideration of the jury was—whether they believed the four witnesses for the defendant. If they were speaking that which was untrue, they were not only guilty of forgery, but guilty of a capital crime—of forging a will; and there must also have been a great deal of conspiracy. They were to deliberate upon this; and he would not pay the jury so bad a compliment as to suppose any warning was necessary to discharge from their minds any wishes or feelings, but they would apply their judgment to the evidence that had been laid before them. His lordship then read over the whole of the evidence, and at 11 o'clock on Thursday night the jury retired. At half-past 4 on Friday morning they, returned a verdict for the plaintiff, thus invalidating the will.

PUBLIC DOCUMENTS.

I.—DOMESTIC.

DISPATCHES *from the LORD LIEUTENANT of IRELAND relative to the state of IRELAND, and the renewal of the COERCION BILL.*

EXTRACT from a dispatch from the Lord Lieutenant to Lord Melbourne, dated Dublin Castle, April 15, 1834.

My Lord,—The abstract of the reports for the month of March, 1834, from the four chief inspectors of police has been submitted to your lordship and his Majesty's government, and the detailed reports are now forwarded to the Irish office, for reference to the particular condition of each province and county.

These documents are calculated to exhibit a view of the comparative state of crime in the months of January and February, 1834, and also of March 1834, and the corresponding months in 1833.

There is a distinct statement of the class of crimes of an insurrectionary, political, or intimidating character for the same period of time.

Although these papers, with the daily reports transmitted to your lordship, and with the observations of the sub-inspectors, and the chief inspectors, might be deemed to furnish his Majesty's government with a sufficient view of the general state of Ireland,

your Lordship will probably expect from me, at the present season, the addition of my remarks and opinion.

The province of Ulster, upon the whole, is in a tranquil and even a flourishing condition; and although a large increase of crime (104 under the general class, including twenty-two under that of insurrectionary character) appears on comparison with the corresponding month in 1833, the heavier crimes have diminished on the same comparison. No general combination for purposes of insurrection, intimidation, or assumption of legislative or executive powers, is to be discovered in this province.

A part of the county of Monaghan requires vigilant observation; but I trust it may be restored to tranquillity by the ordinary employment of the magistracy, police, and military.

Agriculture and internal trade are all in an improving state in this province, and (with the exceptions already stated) there is no cause to apprehend any interruption of peace or good order in Ulster.

The province of Connaught may be considered generally in a state

of tranquillity with the exceptions of parts of Galway, especially those bordering on the baronies of Garrycastle and Eglish, in the King's County. Those parts of Galway (although proclaimed under the Peace Preservation Act) may require the application of stronger powers.

The crimes under the general head in the province of Connaught, as compared with the corresponding month of March, in the year 1833, are increased eighty-eight; but the crimes of an insurrectionary, &c., character, for the same period of time, are decreased fifty-seven. The general aversion to the payment of the tithe and the resistance to it have been strongly marked in this province; and the spirit of the people is certainly of a discontented, disorderly, and turbulent character. Secret combination, concealed organization, intimidation, suppression of all evidence of crime, and the ambition of usurping the government, of ruling society by the authority of the common people, and of superseding the law by the decrees of illegal associations—all these have prevailed to a great extent in Connaught, especially in Galway, and the people are easily excited to mischief.

Your lordship will observe a considerable variation in the condition of the different counties in this province. Leitrim, Mayo, and Clare are nearly in a state of positive tranquillity, while Galway, Roscommon, and Sligo have been the scenes of all the evils which I have described.

These disturbances have been in every instance excited and inflamed by the agitation of the combined projects for the abolition of tithes and the destruction of the union

of Great Britain. I cannot employ words of sufficient strength to express my solicitude that his Majesty's government should fix the deepest attention on the intimate connexion marked by the strongest characters in all these transactions between the system of agitation and its inevitable consequence, the system of combination, leading to violence and outrage; they are, inseparably, cause and effect; nor can I (after the most attentive consideration of the dreadful scenes passing under my view), by any effort of my understanding, separate one from the other in that unbroken chain of indissoluble connexion.

In this (certainly awful and alarming) state of the popular temper, there is, however, no appearance of any settled plot or conspiracy against the state which menaces approaching convulsion; but while these pernicious habits of nocturnal assemblages and secret councils of the people, for planning the execution of schemes of outrage, plunder, and murder, shall prevail under the action of the most powerful incentives, any government must be lost to all sense of prudence which should not feel hourly apprehension of danger.

This province generally is stated to be well supplied with food; the apprehensions respecting the failure of the crop of potatoes here, as well as in other parts of Ireland, have disappeared; agriculture also appears to be making progress, and there is no complaint of any failure of internal trade.

To the province of Munster most of the observations which I have submitted to your lordship with regard to that of Connaught may be applied with equal force; the offences committed during the

month of March, 1834, under the general head, exceeded those in the corresponding month, 1833, by the number of ninety-one; the outrages of an insurrectionary character upon the same comparison are increased only to the extent of thirteen. It is to be observed, that the amount of outrages in the month of March, 1834, appears to be greater, the county of the city of Cork having been recently brought under the operation of the constabulary system, and inserted for the first time in the inspector's report.

In a general view, the state of the province of Munster affords no ground for the apprehension of immediate insurrectionary movement.

There has been no disturbance of any serious nature in the county of Kerry, the state of which continues to afford grounds of satisfaction. In Limerick, the principal outrage which will require your lordship's notice was that committed on the 13th of March at Rathkeale. On that occasion the assistant barrister applied to me to adjourn the session (for the purpose of obtaining better protection) to the city of Limerick; I rejected this application, and directed that the session should be resumed with all possible expedition at Rathkeale, the spot of the original riot, under the protection of such a force of police and military as should prevent similar outrages.

In the meanwhile many of those concerned in the original riot were apprehended and brought to justice at Limerick.

The session at Rathkeale has since been resumed by the same assistant barrister; and the proceedings under an adequate protection of police and military, have

been continued and terminated without any interruption of the public peace.

I request your lordship's particular attention to the report of the sub-inspector, and the observations of Major Miller of the 5th and 7th of April. It is with regret that I state my concurrence in the view taken by the sub-inspector of the temper and opinions of the peasantry, which he describes. However absurd and exaggerated those opinions may appear to be, they are the natural and necessary consequences of that agitation which is continually applied to disturb and distract the minds of the people, to excite their hatred of every institution of law and government, and to inspire a confident expectation of speedy success in the destruction of both.

In the county of Tipperary the greater number of districts is, comparatively speaking, in a tranquil state; in some few disorders of an insurrectionary nature have prevailed, which may require the application of stronger executive powers.

The prevailing mischief in this district are riots at fairs and the contests of factions, which often produce bloodshed.

The county of Cork is in a tranquil state, and the people disposed to industry and labour when not excited by political agitation, and I have already observed the addition of the county of the city of Cork, to the reports of the last month has increased the apparent general amount of crimes; it is, however, to be remarked, that within the limits of that district the amount of crimes bears a small proportion to the number of inhabitants, and that political agita-

tion has not recently prevailed to any considerable extent.

With respect to agriculture and other evidences of improvement, I have received no complaints from the province of Munster; and I am disposed to believe that if the causes of mischief, to which I have adverted, were removed, it would present a most cheerful prospect of peace, happiness, and prosperity.

Although the decrease under the general head of crime in the province of Leinster is 150, and under the head of insurrectionary offences 176, that circumstance is to be ascribed to the operation of the recent act applied by proclamation to the county of Kilkenny. The condition of this province is far from satisfactory in any county, and in some has compelled me to call forth the powers vested in my station by the act for the more effectual suppression of local disturbances. The cases of crime are so numerous, and marked by so many circumstances of aggravation, that I must request your lordship's most minute attention to the detailed reports of the inspector-general, wherein a full account is given of these barbarous outrages and of their systematic origin. Lawless combinations, secret councils, and nightly outrages are here exhibited in full force. A complete system of legislation, with the most prompt, vigorous, and severe executive power, sworn, equipped, and armed for all excesses of savage punishment, is established in almost every district. On this subject I cannot express my opinions more clearly, nor with more force nor justice, than your lordship will find employed in a letter addressed by lord Oxmantown, lieutenant of the King's county, to Mr. Little-

ton, of which a copy was submitted to your lordship in my last despatch.

Lord Oxmantown truly observes, that the combination established surpasses the law in vigour, promptitude, and efficacy, and that it is more safe to violate the law than to obey it.

Although these observations are too true with respect to the general condition of the province of Leinster, I am happy to be able to except the city and district of Dublin, of which a separate report is forwarded to your lordship.

Your lordship will have observed that the efforts of agitation have been most actively employed in the province of Leinster with great effect as far as inflammation of the public mind, but with little success in the great ostensible object of procuring signatures to petitions for the repeal of the Union. In Dublin these efforts have been attended with no success in either object; the city was never more tranquil nor less disturbed by political or party discussions.

The general state of agricultural and improvement of every description is progressive in the province, but whatever can be attempted to promote its prosperity must be frustrated as long as the present agitations and their consequence shall remain in activity. It has been with considerable regret that I have felt it my duty to submit to his majesty's government a representation of the state of Ireland so unfavourable in many points of view.

I am not unapprised that this despatch contains but an imperfect statement of this interesting subject, nor is it indeed intended to bring under your lordship's consideration more than my necessary

comments on the reports of the government in the provinces. Many points essentially connected with the state of Ireland do not come under the observations of those officers.

Still less is it their duty to suggest the remedies which it is the duty of government to apply to such a state of disorder and disturbance.

These subjects are deeply im-

pressed on my mind, and my reflections upon them will be duly submitted to your lordship; but I considered it to be my primary duty to request your attention to the condition of this country, as reported to me by the public officers appointed for that purpose.

I have, &c., WELLESLEY.

The Lord Viscount Melbourne,
&c., &c., &c.

DESPATCH from LORD WELLESLEY to LORD MELBOURNE, dated April 18, 1834.

My Lord,—I have the honour to enclose for the consideration of his majesty's government, the replies of the provincial inspectors to a question which I proposed to them respecting the renewal of the act for the more effectual suppression of local disturbances in Ireland, which if not renewed, will expire in the month of August, 1834.

Your lordship will observe that their opinion is unanimously and powerfully given in favour of the renewal of that act.

It is superfluous for me to add my entire approbation of the opinions which they have expressed, and my most anxious desire that the act may be renewed.

I have, &c. WELLESLEY.

The Lord Viscount Melbourne,
&c., &c., &c.

FIRST REPORT of the LORDS' COMMITTEES appointed to inquire into the CHARGES on the COUNTY RATES in ENGLAND and WALES, and to whom was referred the PETITION of the GRAND JURY of the COUNTY of CARMARTHEN, assembled at the GENERAL SESSIONS of the PEACE of the said COUNTY, complaining of the LOCAL TAXATION paid by the AGRICULTURISTS of ENGLAND and WALES, and praying their LORDSHIPS for RELIEF.

The Committee have met, and having prosecuted their inquiries, as well into the extent to which county expenditure has increased, as into the causes by which that increase has been occasioned, proceed to submit to the house the result of their inquiries

as far as they have hitherto gone, together with such suggestions as have occurred to them as to the means by which that expenditure may be reduced or more equitably provided for.

It appears, upon a comparison of the county expenditure taken at

decennial periods from 1792 to 1832, that the increase has been both progressive and considerable. The county rates in 1792 amounted to 303,267*l.*, and in 1832 to 774,833*l.*, being an increase of 155 per cent; and as the heads of this expenditure have throughout remained unaltered, the committee have had little difficulty in ascertaining, by an analysis of the returns which have been laid before them, the causes to which the increase may be attributed, and in forming their judgment as to the best mode in which any saving may be effected. From this analysis of the returns it appears that a large portion of the increased amount of county rates has been occasioned by causes connected with, and dependent upon, what may be deemed in themselves evidences and results of the growing population of the country, and of general improvement in its condition. The great extension, during the period above referred to, of improved means of communication throughout the country, has naturally called upon the counties for increased contributions for the erection of bridges; an urgent necessity has at times existed of having recourse to extraordinary expenses in preserving the public peace; the great increase of county business generally has swelled the demand for legal charges; and various other incidental items have also added to the general mass of county expenditure. To that portion, therefore, of the augmented charge the committee do not conceive that they are called upon to advert, as requiring the special interference of the legislature, with a view to relief from it as a burden. But their serious attention has been directed to another branch of

charge which has greatly increased of late years, and which presses with peculiar severity upon those county resources from which county rates are levied; they allude to the large expense incurred for the administration of criminal justice throughout the country. The crimes, for the repression of which this expense is borne by the landed interest exclusively, mainly affect personal property, as far, at least, as regards many of the minor felonies; and the committee cannot but consider that such a mode of providing for such an expense is no less partial than onerous. They are desirous, therefore, of calling the attention of the House, somewhat in detail, to its nature and progressive amount. It appears to have been, in some degree, occasioned by the altered construction, as well as the increased number, of gaols and houses of correction; by the system of classification and more strict discipline which has been generally introduced into prisons of late years; and by various regulations of a general nature which have been deemed necessary for the improvement of places destined for the reception of criminals. But that portion of the increased expenditure which is caused by the allowances for the expenses of prosecutions appears to the committee in a far different light, and requires particular consideration. In the year 1792 the county charges for prosecutions in England and Wales did not exceed 34,345*l.*; in 1832 they amounted to 150,525*l.*, being an increase of 338 per cent. It is true that, during this period, the augmentation of population might fairly account for a part of this excess; but an augmentation of population from 55 to 60 per cent

is insufficient to account for an increase of allowance for prosecutions amounting to 338 per cent ; and the committee are of opinion that much of it is to be ascribed to the operation of the 58 George III, c. 70.

Previous to the passing of that act the statutable rewards for the conviction of certain offenders operated as an adequate encouragement for the prosecution of persons guilty of counterfeiting coin, burglary, housebreaking, robbing in shops, warehouses, coach-houses, or stables, or stealing horses, or stealing or destroying sheep or cattle. These crimes constitute the great mass of offences tried at the assizes ; and the statutable rewards upon the conviction of the offenders were payable in the first instance by the sheriffs, and were taken, as far as they went, to defray the expenses of the prosecutions, and allowed to the respective sheriffs in accounting with the crown. The costs of such prosecutions to that extent were thus charged upon the general revenues of the country.

The 58th George III., c. 70, at the same time that it repeals all such parts of former statutes as provided that rewards should be paid to prosecutors upon conviction for the above-recited crimes, provides that the county rates shall in future be charged with the allowances to prosecutors in such prosecutions.

To this transfer of payment for prosecutions from the public purse to the county rates is to be added the increased charge arising from allowance of costs in the prosecution of certain misdemeanors, which has been allowed by subsequent statutes. Thus, then, the recent change in the law has thrown exclusively upon the land

the whole expense of prosecutions, in the carrying on of which personal property is equally interested.

It is not immaterial to add, that the allowances for prosecutions at the assizes, over which the county magistrates have no control, are generally three-fold the amount of those which are given for similar prosecutions at the sessions, where the magistrates possess, and exercise a direct and rigid supervision.

Upon a review of all these considerations, the committee feel themselves warranted in calling the serious attention of the House to the equity, not to say necessity, of making some alteration of the law in this respect ; and, therefore, strongly recommend that the costs of prosecutions at the assizes should be borne by the general revenues of the state, under such regulations as may effectually prevent all abuse and unnecessary expenditure.

It further appears to the committee, that the county rates, which have hitherto been submitted to with passive indifference, have been rendered liable to many payments which, in principle and in analogy, should be charged upon the general funds of the country.

They would exemplify this observation by the charges of conveying transports to the places of embarkation. The expenses of transportation from the place of embarkation are charged upon the public purse, and there appear no reasonable grounds for exempting the same from the expense of conveying the convicts from the prisons of the interior to the places of embarkation.

The same observations apply, in principle, to the charge of supporting smugglers in gaol at the county expense ; and the commit-

tee are of opinion that all such charges should be defrayed out of the revenue of the department whose laws are broken.

However much the committee may have reason to lament the increase of county expenditure in minor points, and more especially in the payments to clerks of the peace, as well as in the salaries of officers, and other incidental expenses, they abstain from making further direct observation upon them, inasmuch as any abuse in such respects may be remedied by the existing powers of the superintending magistracy.

The attention of the magistracy has been directed to the importance of economy in county expenditure, as has been lately evinced in more than one county,

by their refusal to sanction charges upon county rates for returns made to the secretaries of state or either house of Parliament, which, although generally complied with are, nevertheless, not warranted by law; and the committee cannot but entertain the opinion, that the public revenues should be liable to all disbursements incurred in obtaining statistical, or other information, for the use of the legislature or any public department.

The committee, having thus stated their general views upon the important matter submitted to their consideration, beg to lay before the House the evidence which they have taken, together with an appendix, and also an index to this, their first report.

RESOLUTIONS of the COMMITTEE of the HOUSE of COMMONS on NAVIGATION to INDIA.

“1. Resolved, that it is the opinion of this committee that a regular and expeditious communication with India, by means of steam-vessels, is an object of great importance both to Great Britain and to India.

“2. Resolved, that it is the opinion of this committee, that steam navigation between Bombay and Suco having, in five successive seasons, been brought to the test of experiment (the expense of which has been borne by the Indian government exclusively), the practicability of an expeditious communication by that line during the north-east monsoon has been established.

“3. Resolved, that it is the opinion of this committee, that the experiment has not been tried

during the south-west monsoon; but that it appears from the evidence before the committee, that the communication may be carried on during eight months of the year, June, July, August, and September being excepted, or left for the results of further experience.

“4. Resolved, that it is the opinion of this committee, that the experiments which have been made have been attended with very great expense; but that, from the evidence before the committee, it appears that by proper arrangements the expense may be materially reduced; and, under that impression, it is expedient that measures should be immediately taken for the regular establishment of steam communication with India by the Red Sea.

"5. Resolved, that it is the opinion of this committee that it be left to his majesty's government, in conjunction with the East India Company, to consider whether the communication should be in the first instance from Bombay or from Calcutta, or according to the combined plan suggested by the Bengal steam committee.

"6. Resolved, that it is the opinion of this committee, that by whatever line the communication be established, the net charge of the establishment should be divided equally between his majesty's government and the East India Company, including in that charge the expense of the land conveyance from the Euphrates on the one hand, and the Red Sea on the other, to the Mediterranean.

"7. Resolved, that it is the opinion of this committee, that the steam-navigation of the Persian Gulf has not been brought to the test of experiment; but that it appears from the evidence before the committee, that it would be practicable between Bombay and Bussorah during every month in the year.

"8. Resolved, that it is the opinion of this committee, that the extension of the line of the Persian Gulf by steam-navigation on the river Euphrates has not been brought to the test of experiment; but that it appears from the evidence before the committee, that from the Persian Gulf to the town of Bir, which is nearer to the Mediterranean port of Scanderoon than Suez is to Alexandria, there would be no physical obstacles to the steam-navigation of that river during at least eight months of the year, changing the line of the Mediterranean in every month of the year; November, December,

January, and February being not absolutely excepted, but reserved for the results of further experience.

"9. Resolved, that it is the opinion of this committee that there appear to be difficulties on the line of the Euphrates from the present state of the countries on that river, and particularly from the wandering Arab tribes, but that those difficulties do not appear to be by any means such as cannot be surmounted, especially by negotiations with the Porte, Mehemet Ali, and the chiefs of the principal fixed tribes; and that this route, besides having the prospect of being less expensive, presents so many other advantages, physical, commercial, and political, that it is eminently desirable that it should be brought to the test of a decisive experiment.

"10. Resolved, that it is the opinion of this committee that the physical difficulties on the line of the Red Sea appearing to be confined to the months of June, July, August, and September, and those of the river Euphrates to the months of November, December, January, and February, the effective trial of both lines would open a certain communication with the steam-vessels on both sides according to the seasons.

"11. Resolved, that it is the opinion of this committee, that it be recommended to his Majesty's government to extend the line of Malta packets to such ports in Egypt and Syria as will complete the communication between England and India.

"12. Resolved, that it is the opinion of this committee, that the expense of this experiment by the Euphrates has been, by an estimate which the committee has subjected

to the examination of competent persons, stated at 20,000*l.*, which includes a liberal allowance for contingencies; and the committee

recommend that a grant of 20,000*l.*, be made by parliament for trying that experiment with the least possible delay."

REPORT from the SELECT COMMITTEE on DIVISIONS of the House.

The Select Committee appointed to "inquire into the best mode of securing an accurate and authentic account of the divisions in this House, and to report their opinion thereon to the house," have considered the matters referred to them, and agreed to the following report.

It appears to the committee to be impossible to attain the object in view by any of the various plans which have been submitted to them, for taking the divisions by a system of tickets or cards, with the names of the members voting inscribed upon them. The difficulty of ensuring that members shall be provided beforehand with these cards, so as to avoid confusion or delay when the division is about to take place, and the additional difficulty of collecting these cards from the members present, when combined with the necessity of identifying the individual presenting the card, in order to prevent the possibility of one name being substituted for another, induced the committee to reject all plans founded upon this basis, and to direct their inquiries into a different channel.

To call over the whole house upon each division, and to enter the names of the members present would have occasioned a loss of time which the committee did not feel themselves justified in recommending.

It was suggested indeed, that all members entering the house should inscribe their names in a book, on each successive day of the session, and that the names thus inscribed should alone be called over, in the event of a division; but as no provision was suggested for cases where a division of great importance was followed by a division of minor importance, and where the original list of 300 or 400 members became applicable to a division of fifty or sixty members, the committee felt that such a regulation would be attended with great inconvenience, and consequently could not adopt it.

The scantiness of the accommodation afforded by the present buildings of the house prevented the committee from suggesting, as they would otherwise have been inclined to do, that upon every division, the ayes and the noes should be sent forth into two different lobbies and the names of the members taken down simultaneously as they re-entered the house by opposite doors.

The committee beg, however, to state, that if the house should feel disposed at any future time, to build an additional lobby in the vacant space at the east end of the house, there is no plan which, in their judgment, combines so many recommendations as this, or might so easily be carried into effect.

Under existing circumstances,

and with a regard to existing localities, the committee must content themselves with submitting to the house the following propositions :—

1. That in all divisions, both of the house and in committee, the presumed minority be directed to go forth into the lobby as at present and all the remaining members to take their seats in the body of the house.

2. That two tellers be appointed to stand on the floor of the house, accompanied by two clerks.

3. That one of these clerks, commencing, as now, at the end of the back bench, shall call aloud the name of each member in succession, which shall be entered by the other clerk on a paper or paste-board, with lines ruled, and numbered; the tellers counting, as the clerks proceed, and communicating to the clerk the result.

4. That so soon as the members within the house are counted, the tellers and clerks shall proceed to the lobby doors, and that one clerk shall call, and the other take down, on similar paper, the names of each member as he comes into the house, the tellers counting, and announcing the result, as at present.

5. That the lists thus taken be brought up to the table by the tellers, and deposited there for insertion in the votes.

The committee have ascertained, by experiment, that thirty names can be called over and entered in one minute, in short hand; but

Mr. Joseph Gurney, on his examination, stated it to be his impression that a quick long hand writer, with the help of such occasional abbreviations as practice would suggest, would take down the names very nearly as fast as he could, in short hand, himself, and might certainly enter twenty-five names in a minute. The committee will assume twenty names to be the maximum, and allow five minutes for each 100 names. In this case, a division of 400 members would occupy 20 minutes, which is very little more than is required under the present system, the average time consumed in counting 100 members (taken on a mean of those who go out and those who remain in the house) being from three to four minutes.

Now, if the principle of publicity be worth any sacrifice at all, it is certainly worth so small a sacrifice as this; nor does the committee believe that, under any conceivable system, a much greater degree of expedition can be combined with that accuracy which it is essential to ensure where the votes are published with the sanction of the Speaker's name.

The committee do not anticipate any difficulty in finding clerks sufficiently well acquainted with the persons of members to call the name of each member in succession as proposed; but, in the very rare cases where such difficulty might occur, it would be removed instantly by the interference of the tellers, or of the member himself.

AN ACCOUNT of the PRINCIPAL IMPROVEMENTS in the management of the POST OFFICE, which have taken place by order of the POSTMASTER-GENERAL during the last three years.

The consolidation of the post-offices of England, Scotland, and Ireland, and the abolition of the separate appointments at the head of the two latter departments.

A new establishment for the General Post-office in London, and consolidation of the departments of account, with a diminution of seventeen officers, an immediate saving of 5,258*l.* per annum, and a further prospective reduction of 1,190*l.*

A new establishment for the General Post-office, Edinburgh.

A new establishment for the General Post-office in Dublin, with a diminution of about fifty officers, and a saving of between 5,000*l.* and 6,000*l.* per annum.

A daily post with France.

Negotiation with Belgium for a post four times, instead of twice, a-week, with Ostend, thus doubling the number of communications with Belgium, and other parts of the continent, the correspondence of which is forwarded by that route. This measure only awaits the formal approval of the Belgian Government.

The communication with Hamburg and Holland established by steam vessels instead of sailing packets.*

* It was necessary to dispense with nine established sailing packets at Harwich; by the appointment of some of the captains to other stations, as vacancies have occurred, three officers only are now on the retired list. Two of these, from age, must have been superannuated shortly, and the third only awaits the first vacancy to be again brought into active service.

The correspondence with France passing by cross-post accelerated twenty-four hours.

The general-post delivery in London extended to a circle of three miles from the General Post-office.

The twopenny-post extended to a circle of twelve miles from the General Post-office.

The delivery of letters throughout London greatly accelerated, so that in ordinary cases it should be finished by ten o'clock in the morning, Mondays excepted.*

The foreign mails delivered with the inland letters some hours earlier than before†.

The more expeditious distribution of letters by foreign mails arriving after the general delivery‡.

The extension of time for the receipt of letters to be forwarded by the foreign mails; they are now

* The despatch of the letter carriers from the General Post-office must vary according to the arrival of the mail-coaches, and the quantity of letters, foreign mails, ship letters, &c. Some of the mail-coaches do not arrive until seven o'clock and after, and a considerable time is required for the assortment of the letters and adjustment of the accounts before the delivery can commence. The average number of letters arriving in London on ordinary mornings may be taken at 43,000; on Mondays 10,000 more.

† The foreign delivery did not commence until ten, a. m.

‡ These letters were distributed by the twopenny post, and only at fixed hours, corresponding with the deliveries of that department. They are now sent out as soon as they can be assorted and got ready.

taken in every evening as late as those for the United Kingdom.

An earlier delivery of letters throughout the country districts of the two-penny post, and an additional delivery and collection every day at nearly every place round London.

The general-post delivery at Edinburgh extended, and the posts in the neighbourhood much improved.

Fourteen new post-towns established in addition to thirty-three which had been established since the occupation of the enlarged General Post-office in St. Martin's le-Grand.

The mail-coaches throughout the kingdom have been generally accelerated, especially those to and from Liverpool, Manchester, Leeds, Glasgow, the principal commercial districts, and the main lines of cross-roads. It is to be observed that when a post is improved, it is not the points of arrival and departure only that are affected, but the inhabitants of every intermediate place on the whole route derive the advantage of an earlier receipt of their correspondence, and a longer interval for answers, and that the improvement extends to the branches from the main lines.

Twelve new mail coaches established: amongst others, one direct between Bristol and Liverpool, and many extended and improved.

Thirty-four new horse posts established, and numerous others accelerated, connecting main lines of communication, and enabling places wide of such main lines to answer letters earlier, and in many cases by return of post.

One hundred and twenty-eight local posts established, affording accommodation to many hundred villages and places in the neigh-

VOL. LXXVI.

bourhood and intermediate of post-towns, where there had not previously been any official and responsible arrangement.

Additional clerks and letter-carriers appointed at many post-towns for the acceleration of the delivery of the correspondence within those towns and in the neighbourhood. An increase to the number of receiving-houses for letters at many towns where the extension of buildings has called for it, and additional communications to those already existing between neighbouring towns of importance. Improvements of this description are so numerous, and so constantly in progress, that any attempt at minute detail would be tedious and unnecessary.

The abolition of the fee or gratuity on the delivery of letters within post-towns; this is already nearly accomplished at every town in the kingdom, and will be completed as soon as the necessary arrangements for a free delivery can be made at the very few post-towns where a fee is yet charged.

A new and improved arrangement of the ship-letter duty at Liverpool*, for the better and more expeditious despatch and receipt of letters conveyed by merchant-vessels between that port and places beyond seas.

A new arrangement of the mail-boat service in the West Indies; for the more efficient performance of the duty, at a considerable saving of expense to the public.

The regulation of post-office agencies at home and abroad as

* Above 1,200 ship-letter mails are forwarded *via* Liverpool in the course of a year, and about 365,000 ship-letters are received annually at the Post-office of that port for the United Kingdom.

vacancies occur, attended with a considerable reduction of expense*.

The post and post-office regulations in the British North American provinces in a course of revision.

The main line of communication with Ireland by Holyhead and Dublin has been essentially improved. The mail that leaves London at eight o'clock at night reaches Dublin, under ordinary circumstances of weather, between seven and eight on the second morning†; and arrangements have been made, (to commence from the 1st of next month,) by which letters from Dublin for London will be taken in at the General Post-office as late as those for the interior, affording to the Irish Government and the public of the metropolis of Ireland two hours more time for their correspondence with this country, in addition to a previous extension of one hour.

The communication by the Milford line has also been improved, affecting the correspondence with Waterford, Cork, and much of the south-west of Ireland.

The power of the machinery of the packets increased at Holyhead and most of the other stations.

The mail-coaches materially accelerated, especially those to and from Cork, Waterford, Belfast and Derry; and an improved description

of carriage introduced as contracts expire. Nine new mail-coaches established.

Progressive regulation of the Irish mail-coach contracts, which were formerly for such long periods as to retard the possibility of improvement on any particular line of road. Those yet unexpired will be placed upon the improved system as they fall in.

Forty-five new and direct post communications opened, and about sixty much improved.

One hundred and eighty-seven local posts established where there had not been any official accommodation before.

The abolition of the system of subletting contracts for posts, insuring the more punctual performance of the service, at a considerable reduction of expense to the public.

The abolition of the fee or gratuity on the delivery of letters within post-towns, heretofore general throughout Ireland. An official delivery has already been provided at many principal commercial towns, and will be extended as soon as the necessary arrangements can be made.

The delivery of letters in Dublin and its vicinity expedited, and additional offices established for the reception of letters.

The circulation of letters in the south of Ireland revised, connected with the alteration of mail-coaches, affording more or less advantage to the communications with Dublin and England.

The circulation of letters in the north of Ireland revised and improved.

General Post-office, Feb. 24.

* This has already been carried into effect at Dover, Harwich, Jamaica, Brazil, Gibraltar, and Cuxhaven. The object is not merely to reduce the annual charge upon the revenue, but to relieve the expenditure of the department of dead weight in pensions.

† Thirty-five to thirty-six hours from London to Dublin; 269 miles by land and a sea-passage of seventy miles, including stoppages for official business and other necessary purposes.

AN ACCOUNT of the GROSS and NET REVENUE and CHARGES of
MANAGEMENT of the POST-OFFICE in each of the last ten years.

Years.	Gross Receipt.			Net Produce.			Charges of Management.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
1824	2,055,636	17	1	1,438,780	3	2	501,472	4	6
1825	2,160,390	2	1	1,517,621	16	0	512,585	11	3
1826	2,184,514	15	8	1,478,669	15	0	584,776	14	8
1827	2,062,179	15	8	1,366,853	15	11	595,181	4	2
1828	2,048,402	7	10	1,396,355	15	5	566,384	2	0
1829	2,024,418	13	8	1,360,778	19	0	579,175	10	2
1830	2,053,720	11	2	1,368,307	3	0	594,349	3	9
1831	2,064,334	16	4	1,395,039	16	6	574,578	9	9
1832	2,034,603	18	6	1,321,585	16	8	557,313	12	5
1833	2,062,829	7	8	1,391,460	19	0	552,734	9	8

ADDRESS of SIR ROBERT PEEL to his Constituents at TAMWORTH,
on his acceptance of the office of FIRST LORD OF THE TREASURY.

*"To the Electors of the Borough
of Tamworth.*

"Gentlemen,—On the 26th of November last, being then at Rome, I received from his majesty a summons wholly unforeseen and unexpected by me, to return to England without delay, for the purpose of assisting his majesty in the formation of a new government. I instantly obeyed the command for my return; and on my arrival, I did not hesitate, after an anxious review of the position of public affairs, to place at the disposal of my sovereign any services which I might be thought capable of rendering.

"My acceptance of the first office in the government terminates, for the present, my political connexion with you. In seeking the renewal of it, whenever you shall be called upon to perform the duty of electing a representative in parliament, I feel it incumbent upon

me to enter into a declaration of my views of public policy, as full and unreserved as I can make it, consistently with my duty as a minister of the crown.

"You are entitled to this, from the nature of the trust which I again solicit, from the long habits of friendly intercourse in which we have lived, and from your tried adherence to me in times of difficulty, when the demonstration of unabated confidence was of peculiar value. I gladly avail myself also of this, a legitimate opportunity, of making a more public appeal—of addressing, through you, to that great and intelligent class of society, of which you are a portion, and a fair and unexceptionable representative—to that class, which is much less interested in the contentions of party, than in the maintenance of order and the cause of good government, that frank exposition of general principles and views, which appears to

be anxiously expected, and which it ought not to be the inclination, and cannot be the interest, of a minister of this country to withhold.

“Gentlemen,—The arduous duties in which I am engaged, have been imposed upon me through no act of mine. Whether they were an object of ambition coveted by me—whether I regard the power and distinction they confer, as any sufficient compensation for the heavy sacrifices they involve—are matters of mere personal concern, on which I will not waste a word. The King, in a crisis of great difficulty, required my services. The question I had to decide was this—Shall I obey the call? or shall I shrink from the responsibility, alleging as the reason, that I consider myself, in consequence of the reform bill, as labouring under a sort of moral disqualification, which must preclude me, and all who think with me, both now and for ever, from entering into the official service of the crown? Would it, I ask, be becoming, in any public man, to act upon such a principle? Was it fit that I should assume, that either the object or the effect of the reform bill has been to preclude all hope of a successful appeal to the good sense and calm judgment of the people, and so to fetter the prerogative of the crown, that the king has no free choice among his subjects, but must select his ministers from one section, and one section only, of public men?

“I have taken another course, but I have not taken it without deep and anxious consideration as to the probability that my opinions are so far in unison with those of the constituent body of the United Kingdom, as to enable me, and those with whom I am about to

act, and whose sentiments are in entire concurrence with my own, to establish such a claim upon public confidence, as shall enable us to conduct with vigour and success the government of this country.

“I have the firmest conviction that that confidence cannot be secured by any other course than that of a frank and explicit declaration of principle—that vague and unmeaning professions of popular opinions may quiet distrust for a time, may influence this or that election; but that such professions must ultimately and signally fail, if, being made, they are not adhered to, or if they are inconsistent with the honour and character of those who make them.

“Now, I say at once that I will not accept power on the condition of declaring myself an apostate from the principles on which I have heretofore acted. At the same time, I never will admit, that I have been, either before or after the reform bill, the defender of abuses, or the enemy of judicious reforms. I appeal with confidence, in denial of the charge, to the active part I took in the great question of the currency—in the consolidation and amendment of the criminal law—in the revival of the whole system of trial by jury—to the opinions I have professed, and uniformly acted on, with regard to other branches of the jurisprudence of the country—I appeal to this as a proof that I have not been disposed to acquiesce in acknowledged evils, either from the mere superstitious reverence for ancient usages, or from the dread of labour or responsibility in the application of a remedy.

But the reform bill, it is said, constitutes a new era, and it is the duty of a minister to declare ex-

plicity—first, whether he will maintain the bill itself, and, secondly, whether he will act upon the spirit in which it was conceived.

With respect to the reform bill itself, I will repeat now the declaration which I made when I entered the house of Commons as a member of the reformed parliament, that I consider the reform bill a final and irrevocable settlement of a great constitutional question—a settlement which no friend to the peace and welfare of this country would attempt to disturb, either by direct or by insidious means.

Then, as to the spirit of the reform bill, and the willingness to adopt and enforce it as a rule of government: if, by adopting the spirit of the reform bill, it be meant that we are to live in a perpetual vortex of agitation; that public men can only support themselves in public estimation by adopting every popular impression of the day,—by promising the instant redress of any thing which any body may call an abuse,—by abandoning altogether that great aid of government—more powerful than either law or reason—the respect for ancient rights, and the deference to prescriptive authority; if this be the spirit of the reform bill, I will not undertake to adopt it. But if the spirit of the reform bill implies merely a careful review of institutions, civil and ecclesiastical, undertaken in a friendly temper, combining, with the firm maintenance of established rights, the correction of proved abuses and the redress of real grievances,—in that case, I can for myself and colleagues undertake to act in such a spirit and with such intentions.

Such declarations of general

principle are, I am aware, necessarily vague; but, in order to be more explicit, I will endeavour to apply them practically to some of those questions which have of late attracted the greater share of public interest and attention.

“I take, first, the inquiry into municipal corporations:—

“It is not my intention to advise the crown to interrupt the progress of that inquiry, nor to transfer the conduct of it from those to whom it was committed by the late government. For myself, I gave the best proof that I was not unfriendly to the principle of inquiry, by consenting to be a member of that committee of the house of Commons on which it was originally devolved. No report has yet been made by the commissioners to whom the inquiry was afterwards referred; and, until that report be made, I cannot be expected to give, on the part of the government, any other pledge than that they will bestow on the suggestions it may contain, and the evidence on which they may be founded, a full and unprejudiced consideration.

“I will, in the next place, address myself to the questions in which those of our fellow-countrymen, who dissent from the doctrines of the established church, take an especial interest.

“Instead of making new professions, I will refer to the course which I took upon those subjects when out of power.

“In the first place, I supported the measure brought forward by lord Althorp, the object of which was to exempt all classes from the payment of church-rates, applying in lieu thereof, out of a branch of the revenue, a certain sum for the building and repair of churches.

I never expressed, nor did I entertain the slightest objection to the principle of a bill of which lord John Russell was the author, intended to relieve the conscientious scruples of dissenters in respect to the ceremony of marriage. I give no opinion now on the particular measures themselves: they were proposed by ministers in whom the dissenters had confidence; they were intended to give relief; and it is sufficient for my present purpose to state that I supported the principle of them.

“I opposed—and I am bound to state that my opinions in that respect have undergone no change—the admission of dissenters, as a claim of right, into the Universities; but I expressly declared, that, if regulations, enforced by public authorities superintending the professions of law and medicine, and the studies connected with them, had the effect of conferring advantages of the nature of civil privileges on one class of the king’s subjects from which another was excluded—those regulations ought to undergo modification, with the view of placing all the king’s subjects, whatever their religious creeds, upon a footing of perfect equality with respect to any civil privilege.

“I appeal to the course which I pursued on those several questions, when office must have been out of contemplation; and I ask, with confidence, does that course imply that I was actuated by any illiberal or intolerant spirit towards the dissenting body, or by an unwillingness to consider fairly the redress of any real grievances?

“In the examination of other questions which excited public feeling, I will not omit the pension list. I resisted—and, with

the opinions I entertain, I should again resist—a retrospective inquiry into pensions granted by the crown, at a time when the discretion of the Crown was neither fettered by law nor by the expression of any opinion on the part of the house of Commons; but I voted for the resolution, moved by lord Althorp, that pensions on the civil-list ought, for the future, to be confined to such persons only as have just claims to the royal beneficence, or are entitled to consideration on account either of their personal services to the Crown, or of the performance of duties to the public, or of their scientific or literary eminence. On the resolution which I thus supported as a private member of Parliament, I shall scrupulously act as a minister of the crown, and shall advise the grant of no pension which is not in conformity with the spirit and intention of the vote to which I was a party.

“Then, as to the great question of church reform. On that head I have no new professions to make. I cannot give my consent to the alienating of church property in any part of the United Kingdom, from strictly ecclesiastical purposes. But I repeat now the opinions that I have already expressed in Parliament, in regard to the church establishment in Ireland—that, if by an improved distribution of the revenues of the church, its just influence can be extended, and the true interests of the established religion promoted, all other considerations should be made subordinate to the advancement of objects of such paramount importance.

“As to church property in this country, no person has expressed a more earnest wish than I have done that the question of tithe,

complicated and difficult as I acknowledge it to be, should, if possible, be satisfactorily settled by the means of a commutation, founded upon just principles, and proposed after mature consideration.

“With regard to alterations in the laws which govern our ecclesiastical establishment, I have had no recent opportunity of giving that grave consideration to a subject of the deepest interest, which could alone justify me in making any public declaration of opinion. It is a subject which must undergo the fullest deliberation, and into that deliberation the government will enter, with the sincerest desire to remove every abuse that can impair the efficiency of the establishment, to extend the sphere of its usefulness, and to strengthen and confirm its just claims upon the respect and affections of the people.

“It is unnecessary for my purpose to enter into further details. I have said enough, with respect to general principles, and their practical application to public measures, to indicate the spirit in which the king’s government is prepared to act. Our object will be—the maintenance of peace—the scrupulous and honourable fulfil-

ment, without reference to their original policy, of all existing engagements with foreign powers,—the support of public credit—the enforcement of strict economy—and the just and impartial consideration of what is due to all interests—agricultural, manufacturing, and commercial.

“Whatever may be the issue of the undertaking in which I am engaged, I feel assured that you will mark, by a renewal of your confidence, your approbation of the course I have pursued in accepting office. I enter upon the arduous duties assigned to me with the deepest sense of the responsibility they involve, with great distrust of my own qualifications for their adequate discharge, but at the same time with a resolution to persevere, which nothing could inspire but the strong impulse of public duty, the consciousness of upright motives, and the firm belief that the people of this country will so far maintain the prerogative of the king, as to give to the ministers of his choice, not an implicit confidence, but a fair trial. I am, Gentlemen,

With affectionate regard,

Most faithfully yours,
(Signed) ROBERT PEEL.

II.—FOREIGN.

TREATY between HIS MAJESTY, the QUEEN REGENT of SPAIN during the minority of HER DAUGHTER, DONNA ISABELLA THE SECOND, QUEEN of SPAIN, the KING of the FRENCH, and the DUKE of BRAGANZA, REGENT of the KINGDOM of PORTUGAL and the ALGARVES in the name of the QUEEN DONNA MARIA the SECOND.

‘ Her majesty the queen regent of Spain during the minority of her daughter, Donna Isabella II., queen of Spain, and his imperial majesty, the duke of Braganza, regent of the kingdom of Portugal and of the Algarves, in the name of the queen Donna Maria II., being impressed with a deep conviction that the interests of the two crowns, and the security of their respective dominions, require the immediate and vigorous exertion of their joint efforts to put an end to hostilities, which, though directed in the first instance against the throne of his most faithful majesty, now afford shelter and support to disaffected and rebellious subjects of the crown of Spain; and their majesties being desirous, at the same time, to provide the necessary means for restoring to the subjects of each the blessings of internal peace, and to confirm, by mutual good offices, the friendship which they are desirous of establishing and cementing between their respective states, they have come to the determination of uniting their forces, in order to compel the infant Don Carlos of Spain, and the infant Don Miguel of Portugal, to withdraw from the Portuguese dominions.

“ In consequence of this agreement, their majesties the regents have addressed themselves to their majesties the king of the United

Kingdom of Great Britain and Ireland and the king of the French; and their said majesties, considering the interest they must always take in the security of the Spanish monarchy, and being further animated by the most anxious desire to assist in the establishment of peace in the Peninsula, as well as in every other part of Europe; and his Britannic majesty considering, moreover, the special obligations arising out of his ancient alliance with Portugal, their majesties have consented to become parties to the proposed engagement.

“ Their majesties have therefore named as their plenipotentiaries, that is to say:—

“ His majesty the king of the United Kingdom of Great Britain and Ireland, the right hon. Henry John viscount Palmerston, baron Temple, a peer of Ireland, a member of his Britannic majesty’s most hon. privy council, knight Grand Cross of the most hon. Order of the Bath, a member of parliament, and his principal secretary of state for foreign affairs.

“ Her majesty the queen regent of Spain during the minority of her daughter, Donna Isabella II., queen of Spain, Don Manuel Pando, Fernandez de Pinedo, Alava, y Davila, marquis de Miraflores, count of Villapaterna, and of Florida-blanca, lord of Villagarcia, a grandee of Spain, Grand Cross of

the royal and distinguished Order of Charles III., and her Catholic majesty's envoy extraordinary and minister plenipotentiary to his Britannic majesty.

“ His majesty, the king of the French, the sieur Charles Maurice de Talleyrand-Perigord, prince-duke de Talleyrand, peer of France, his said majesty's ambassador extraordinary, and minister plenipotentiary to his Britannic majesty, Grand Cross of the Legion of Honour, knight of the Order of the Golden Fleece, Grand Cross of the Order of St. Stephen of Hungary, of the Order of St. Andrew, of the Order of the Black Eagle, &c.

“ And his imperial majesty the duke of Braganza, regent of the kingdom of Portugal and the Algarves, in the name of the queen Donna Maria II., the sieur Christopher Peter de Moraes Sarmento, a member of the council of her most faithful majesty, nobleman, knight of the royal house, commander of the Order of our Lady of the Conception of Villa Viciosa, knight of the Order of Christ, and her most faithful majesty's envoy extraordinary, and minister plenipotentiary to his Britannic majesty.

“ Who have agreed upon the following articles:—

“ Art. 1. His imperial majesty, the duke of Braganza, regent of the kingdom of Portugal and the Algarves, in the name of the queen Donna Maria II., engages to use all the means in his power to compel the infant Don Carlos to withdraw from the Portuguese dominions.

“ Art. 2. Her majesty the queen regent of Spain, during the minority of her daughter, Isabella II., queen of Spain, being hereby requested and invited thereto by his

imperial majesty, the duke of Braganza, regent in the name of the queen Donna Maria II.; and having moreover received just and grave cause of complaint against the infant Don Miguel, by the countenance and support given by him to the Pretender of the Spanish crown,—engages to cause such a body of Spanish troops as may hereafter be agreed upon between the two parties to enter the Portuguese territories, in order to co-operate with the troops of her most faithful majesty, for the purpose of compelling the infants, Don Carlos of Spain, and Don Miguel of Portugal, to withdraw from the Portuguese dominions.

And her majesty the queen regent of Spain, further engages that these troops shall be maintained at the expense of Spain, and without any charge to Portugal; the said Spanish troops being nevertheless received and treated in all other respects in the same manner as the troops of her most faithful majesty; and her majesty the queen regent engages that her troops shall withdraw from the Portuguese territory as soon as the above-mentioned object of the expulsion of the infants shall have been accomplished, and when the presence of those troops in Portugal shall no longer be required by his imperial majesty the duke regent, in the name of the queen Donna Maria II.

“ Art. 3. His majesty the king of the United Kingdom of Great Britain and Ireland, engages to co-operate, by the employment of the naval force, in aid of the operations to be undertaken, in conformity with the engagements of this treaty, by the troops of Spain and Portugal.

“ Art. 4. If the co-operation of France should be deemed necessary

by the high contracting parties, for the complete attainment of the object of this treaty, his majesty the king of the French engages to do in this respect, whatever might be settled by common consent between himself and his three august allies.

" Art. 5. It is agreed between the high contracting parties, that in pursuance of the stipulations contained in the foregoing articles a declaration shall be immediately issued, announcing to the Portuguese nation the principles and object of the engagements of this treaty. And his imperial majesty the duke regent, in the name of the queen Donna Maria II., animated by a sincere desire to obliterate all remembrance of the past, and to unite around the throne of her most faithful majesty the whole of that nation over which the will of Divine Providence has called her to reign, declares his intention to proclaim, at the same time, a complete and general amnesty in favour of all such of the subjects of her most faithful majesty as shall, within a time to be specified, return to their allegiance; and his imperial majesty the duke regent

in the name of queen Donna Maria II., also declares his intention to secure to the infant Don Miguel, on his retiring from the Spanish and Portuguese dominions, a provision suitable to his birth and rank.

" Art. 6. Her majesty the queen regent of Spain, during the minority of her daughter, Donna Isabella II., queen of Spain, hereby declares her intention to secure to the infant Don Carlos, on his retiring from the Spanish and Portuguese dominions, a provision suitable to his birth and rank.

" Art. 7. The present treaty shall be ratified, and the ratifications shall be exchanged at London in one month from this date, or sooner if possible.

" In witness whereof the respective plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

" Done at London, the 22nd day of April, in the year of our Lord 1834.

" PALMERSTON.

" MIRAFLORES.

" TALLEYRAND.

" C. P. DE MOHANS SARMENTO."

SPEECH of HIS MAJESTY the KING of SWEDEN on the opening of the DIET, on the 31st of January, 1834.

(Read by His Royal Highness the Crown Prince.)

" Noble, Well-born, &c.,—Since your last meeting violent political convulsions have shaken Europe. Providence maintained the tranquillity of the united kingdom under the protection of the laws which secure public order and the rights of all.

" The prudence of the govern-

ment has hitherto prevented several explosions that were apprehended, and hence our blood has been spared. Let us hope that uninterrupted peace will unite more and more closely the interests of nations; it affords too extensive a field for the activity of all to be lightly risked; and the right of humanity de-

mands a conciliation of views, a union of interests.

“Some provinces, especially the northern, have suffered by a failure of the harvest: the public beneficence has rewarded the efforts of the government, and contributed to remedy the most pressing wants. Distresses of this urgent nature, however, must not be renewed, and the necessity of some measures of precaution will certainly draw your attention, as it constantly has done.

“The cholera morbus has threatened this kingdom, but has been arrested by the gracious protection of the Almighty. Whatever differences of opinion may prevail respecting the contagiousness or non-contagiousness of this disorder, I have considered the doubt as sufficient to command, and to carry into effect, the necessary precautionary measures.

“The statement which will be laid before the Diet of what has been done in the administration of the kingdom, will acquaint you with the principles that have guided the course of the government. The secret committee which I intend to call together, will have an opportunity to inform itself respecting the application of these principles in the vicissitudes through which we have passed.

“Every proposed improvement in our social system must, in order to be truly useful, be subjected to mature deliberation, and be founded on the lessons of experience; the fundamental laws prescribe the forms that are to be observed; those must serve as a guide to the two legislative powers of the state. These fundamental principles themselves remind us, that Sweden is bound in the estates of the kingdom to the maintenance of its existence, and the preservation of its

name. The Swedes have their national peculiarities and customs; but it would be unjust to consider them as indifferent to other nations, even though they did not adopt all their doctrines. The Swedes have already gained a degree of general cultivation in which few nations can pretend to excel them. The advantages of this civilization are diffused among all classes of society. Swedish liberty is as old as the monarchy. Our glorious recollections go back into the night of antiquity; but this glory, the support of freedom, cannot be maintained without independence. This again is intimately connected with the use of the power which makes independence respected. The experience of all ages shows that nations the most used to war are wearied by war; but states which have been founded by arms cannot subsist, unless the inhabitants, remembering their origin, are always ready again to take up arms. Our army, which is drawn from the people, and will have five kinds of arms, consists of 100,000 men, and can inspire only confidence, for it lives amidst its fellow-citizens, who rely as well on the sentiments of the army, as on its sense of its own interest.

“Every proposal respecting the situation and the wants of the government will now be laid before you. The extraordinary estimates are separated from the ordinary expenditure. I have endeavoured to confine all of them within the bounds of the existing resources. Consider conscientiously the want of these estimates, which are so necessary for the safety and the existence of the kingdom. In the repose of peace a government must, without reserve, place the extent of several wants before the eyes of the representatives of the people.

This will be rendered more easy to you, gentlemen, by the happy situation of the provinces. The first duty of the government and of the representatives is to secure to every citizen the peaceable enjoyment of his rights, and the unmolested use of his property. Nothing can prosper when the representative coin has not a fixed value. Let us, therefore, hasten to give those who possess anything security for the preservation of what they have acquired. Let us open new prospects to diligence, activity, and frugality. Let us prepare encouragement and support to all allowed professions. Let us acknowledge the truth, that a good system of finance is one of the main foundations of the existence of the state. Let us improve and encourage agriculture and manufactures. Thus we shall obtain in exchange for our own productions those which are produced beyond sea. Private and public interest must here be blended together. Necessity commands that political views and the system of finance should tend to one subject. The law of the 1st of March, 1830, regulating the coinage, is our guide; it determines our reciprocal obligations. Projects of laws on the bank and its directors will be laid before you: let us not forget that the bank belongs to the state; that the people are entitled to have the full extent of the right granted to the managers of a capital of a loan of the value of a circulating me-

dium; and, lastly, that the laws and regulations for the bank must be clear, simple, easy of execution, and therefore inviolable.

"Never do we perform our duties to ourselves better than when we remember that our posterity will reap the fruits of our efforts. The terrestrial goal of the individual man is death, but nations await a prolonged life; therefore, when man labours for himself, he labours more for the society to which he belongs.

"When, almost a quarter of a century ago, I took the oath to your fundamental laws, I observed to the estates of the kingdom that it was not the extent of a state alone that constitutes its strength and independence, but also its laws, its commerce, its industry, and above all its national spirit. I now repeat to you these truths.

"The agreement between your views and mine has prepared for the country the tranquillity and undisturbed order, the fruits of which it has reaped for more than 22 years. Independence, peace, friendly connexions with foreign countries, tranquillity, and obedience to the laws at home,—such is the posture that the united kingdom of Sweden and Norway now offers to Europe.

"I invoke upon our labours the blessing of the Almighty, and assure you all together, and each in particular, of the continuance of my royal favour and affection."

PUBLIC DOCUMENTS. 349

PUBLIC DEBT of FRANCE on the 1st of January, 1834.

FUNDED DEBT.

					France.
Rentes, 5 per Cent.	..	..	..	..	146,423,104
4½ ditto	..	..	..	..	1,026,600
4 ditto	..	..	..	..	3,121,146
3 ditto	..	..	..	..	33,931,483
Life Annuities	..	..	..	..	5,760,960
Pensions	..	..	..	..	58,203,959
Total	..	..	..	..	246,667,252 Rents.

FUNDED DEBT.

	France.	Cents.
Bons Royaux and Treasury Bills out-standing on the 1st of January, 1834	195,193,791	98
Advances from the Bank	24,352,391	22
Ditto from Receivers-General, and deposits from public establishments	187,658,366	50
Securities deposited in the Treasury by public servants, contractors, &c., on which interest is paid, amounted on the 1st of January to annual charge of 9,669,236f. 85c. on a capital of	225,770,985	0
Total (principal)	632,975,524	60

SINKING FUND.

An account of the amount of Rentes standing in the name of the "Caisse d'Amortissement," on the 1st of January, 1834, deducting 32,000,000f. 5 per Cent. taken from this fund, and cancelled by the law of the 26th of June, 1833, viz. :—

	France.
5 per Cents. Rentes	12,540,978
4½ ditto	104,787
4 ditto	391,050
3 ditto	5,903,584
Annual vote	18,941,014
	44,616,463

Total amount of the Sinking Fund on the 1st of January, 1834. 63,557,477

An Account of Rentes purchased by, and transferred to, the "Caisse d'Amortissement," in the year 1833:—

	France.	cost	France.	Ct.	Average price.
5 per Cents	232,367		4,681,356	91	100 52
4½ ditto	49,309		1,025,755	0	99 94
4 ditto	155,593		3,889,825	0	92 40
3 ditto	2,030,588		67,686,267	0	76 63
Rentes	2,467,847		77,353,203	91	
Total amount of Rents purchased by the Sinking Fund, from 1st of June, 1816, to the 31st of December, 1833					66,961,108
Total amount of Rentes cancelled, laws of the 1st of May, 1825, and 27th of June, 1833					48,020,094

Total cost of Rentes purchased, 1,271,686,706f.

AN ACCOUNT OF THE GOLD AND SILVER COINAGE SINCE THE ADOPTION OF THE DECIMAL SYSTEM

			Gold.	Silver.
Napoleon .. ..	..	..	528,024,440f.	887,830,055f.
Louis XVIII. ..	..	..	389,333,060	614,830,109
Charles X. .. ..	..	..	52,918,920	632,511,320
Louis Philippe I, ..	..	..	68,855,240	528,400,293
			1,039,131,660f.	2,663,571,178f.
In the year 1832 .. ..	..	..	2,011,000	142,117,038
In the year 1833 .. ..	..	..	16,835,040	156,439,508
Total of gold and silver coined to the 1st of January, 1834 .. ..	..	..		3,702,703,438f.
The quantity of copper and bell-metal coined since 1726, amounts in nominal value to				56,876,071f.
Gold, platina, silver, and bronze medals and counters, issued from the Mint in the year 1833, sold for ..				335,255f.,80c.
Cost and expense .. ..	..	..	..	300,031f.,40c.
Nett profit .. ..	..	..	...	35,224f.,40c.

STATEMENT respecting AMERICAN BANKS whose SHARES are current in the LONDON MARKET.

	Capital.	Charter expires.	Price in London.
	Dollars.	Years.	£ s.
United States Bank Shares, 7 per Cent. ..	35,000,000	1836	22 15
Louisiana State Bank Shares, 9 per Cent...	1,250,000	1870	26 0
Bank of Louisiana, 8 per Cent.	4,000,000	—	26 10
Bank of Orleans, 8 per Cent.	450,000	—	
New Orleans Canal and Banking Company, 8 per Cent.	4,000,000	—	23 5
New Orleans City Bank, 8 per Cent.	1,000,000	—	
Planters' Bank, Natchez, 10 per Cent. ..	3,000,000	—	23 0

PUBLIC DOCUMENTS. 862

STATEMENT of the UNITED STATES DEBT, and of the separate DEBT of each STATE.

	Capital.	When Redeem- able.	Objects of Creation.	Price in London.
	Dollars.	Years.		
United States 5 per Cent.	4,735,295	1835		98
Alabama 5 per Cent.	300,000	1852	} For bank capital	96
Ditto, ditto.	3,500,000	1863		
Illinois 6 per Cent.	100,000	1850	} Ditto	100
Indiana, ditto.	200,000	1852		
Louisiana, Wilson's Loan, 5 per Cent.	1,800,000	1839 1844 1849	} Ditto.	99 103½
Ditto, Baring's Loan, 5 per Cent.	1,666,667	1838 1843 1844		
Ditto, ditto.	7,000,000	1847 1850 1852		
Mississippi, 6 per Cent.	500,000	1841 1846 1851 1856		
Ditto, ditto.	500,000 500,000 500,000	1861 1866 1871		
New York 5 per Cent.	1,400,000	1837	} For canals.	95 107
Ditto, ditto.	3,124,270	1845		
Ditto, ditto.	877,000	1846 & 1847		
Ditto, ditto.	150,000	1850		
Ditto, 6 per Cent.	2,093,500	1837		
Ditto, ditto.	850,000	1845		
Ditto, Chenango Canal, 5 per Cent.	1,000,000	1845		113
Ohio, 5 per Cent.	400,000	1850	} Ditto.	114
Ditto, 6 per Cent.	4,000,000	1850		
Pennsylvania, 5 per Cent.	1,300,000	1841	} For canals, rail-roads, &c.	104 104½ 105 105½
Ditto, ditto.	300,000	1846		
Ditto, ditto.	1,000,000	1850		
Ditto, ditto.	5,000,000	1853 & 1854		
Ditto, ditto.	2,483,162	1856		
Ditto, ditto.	9,340,661	1858		
Ditto, ditto.	2,000,000	1860		
Ditto, ditto.	800,000	1863		
Virginia 5 per Cents.	500,000	1845 1850 1851 & 52	} 100	100
Ditto, 6 per Cent.	400,000	1844		

THE MESSAGE of the PRESIDENT of the UNITED STATES to the
CONGRESS.

“ Fellow Citizens of the Senate, and House of Representatives,—In performing my duty at the opening of your present session, it gives me pleasure to congratulate you again upon the prosperous condition of our beloved country. Divine Providence has favoured us with general health, with rich rewards in the fields of agriculture, and in every branch of labour, and with peace to cultivate and extend the various resources which employ the virtue and enterprise of our citizens. Let us trust that in surveying a scene so flattering to our free institutions, our joint deliberations to preserve them may be crowned with success. Our foreign relations continue, with but few exceptions, to maintain the favourable aspect which they bore in my last annual message, and promised to extend those advantages which the principles that regulate our intercourse with other nations are so well calculated to secure. The question of the north-eastern boundary is still pending with Great Britain, and the proposition made in accordance with the resolution of the senate, for the establishment of a line according to the treaty of 1783, has not been accepted by that government. Believing that every disposition is felt on both sides to adjust this perplexing question to the satisfaction of all the parties interested in it, the hope is yet indulged that it may be effected on the basis of that proposition.

“ With the governments of Austria, Russia, Prussia, Holland, Sweden, and Denmark, the best understanding exists. Commerce with all is fostered and protected by reciprocal good-will, under the

sanction of liberal conventional or legal provisions. In the midst of her internal difficulties, the queen of Spain has ratified the convention for the payment of the claims of our citizens since 1819. In the course of execution on her part, a copy of it is now laid before you, for such legislation as may be found necessary to enable those interested to derive the benefits of it. Yielding to the force of circumstances, and to the wise counsels of time and experience, that power has finally resolved no longer to occupy the unnatural position in which she stood to the new governments established in this hemisphere. I have the great satisfaction of stating to you, that, in preparing the way for the restoration of harmony between those who have sprung from the same ancestors, who are allied by common interests, profess the same religion, and speak the same language, the United States have been actively instrumental. Our efforts to effect this good work will be persevered in, while they are deemed useful to the parties, and our entire disinterestedness continues to be felt and understood. The act of Congress to countervail the discriminating duties, levied to the prejudice of our navigation, in Cuba and Porto Rico, has been transmitted to the minister of the United States, at Madrid, to be communicated to the government of the queen. No intelligence of its receipt has yet reached the department of state. If the present condition of the country permit the government to make a careful and enlarged examination of the true interests of these important portions of its dominions, no doubt is

entertained that their future intercourse with the United States will be placed upon a more just and liberal basis. The Florida archives have not yet been selected and delivered. Recent orders have been sent to the agent of the United States at Havannah to return with all that he can obtain, so that they may be in Washington before the session of the supreme court, to be used in the legal questions there pending, to which the government is a party. Internal tranquillity is happily restored to Portugal. The distracted state of the country rendered unavoidable the postponement of a final payment of the just claims of our citizens. Our diplomatic relations will be soon resumed, and the long subsisting friendship with that power affords the strongest guarantee that the balance due will receive prompt attention.

“ The first instalment due under the convention of indemnity with the king of the Two Sicilies, has been duly received, and an offer been made to extinguish the whole by a prompt payment—an offer I did not consider myself authorized to accept, as the indemnification provided is the exclusive property of individual citizens of the United States. The original adjustment of our claims, and the anxiety displayed to fulfil at once the stipulations made for the payment of them, are highly honourable to the government of the Two Sicilies. When it is recollected that they were the result of the injustice of an intrusive power, temporarily dominant in its territory, a repugnance to acknowledge and to pay which would have been neither unnatural nor unexpected, the circumstance cannot fail to exalt its character for justice and good faith in the eyes

VOL. LXXVI.

of all nations. The treaty of amity and commerce between the United States and Belgium, brought to your notice in my last annual message, is sanctioned by the senate, but the ratifications of which had not been exchanged, owing to a delay in its reception at Brussels, and a subsequent absence of the Belgian minister of foreign affairs, has been, after mature deliberation, finally disavowed by that government, as inconsistent with the powers and instructions given to the minister who negotiated it. This disavowal was entirely unexpected, as the liberal principles embodied in the convention, and which form the groundwork of the objections to it, were perfectly satisfactory to the Belgian representative, and were supposed to be not only within the powers granted, but expressly conformable to the instructions given to him. An offer, not yet accepted, has been made by Belgium to renew negotiations for a treaty less liberal in its provisions on questions of general maritime law. Our newly established relations with the Sublime Porte promise to be useful to our commerce, and satisfactory in every respect to this government. Our intercourse with the Barbary Powers continues without important change, except that the present political state of Algiers has induced me to terminate the residence there of a salaried consul, and to substitute an ordinary consulate, to remain as long as the place continues in the possession of France. Our first treaty with one of those powers, the emperor of Morocco, was formed in 1786, and was limited to 50 years. That period has almost expired. I shall take measures to renew it with the greatest satisfaction, as its stipulations are just and

2 A

liberal, and have been, with mutual fidelity and reciprocal advantage, scrupulously fulfilled.

“ Intestine dissensions have too frequently occurred to mar the prosperity, interrupt the commerce, and distract the governments of most of the nations of this hemisphere, which have separated themselves from Spain. When a firm and permanent understanding with the parent country shall have produced a formal acknowledgment of their independence, and the idea of danger from that quarter can be no longer entertained, the friends of freedom expect that those countries, so favoured by nature, will be distinguished for their love of justice and their devotion to those peaceful arts, the assiduous cultivation of which confers honour upon nations, and gives value to human life. In the mean time, I confidently hope that the apprehensions entertained that some of the people of these luxuriant regions may be tempted, in a moment of unworthy distrust of their own capacity for the enjoyment of liberty, to commit the too common error of purchasing present repose by bestowing on some favourite leaders the fatal gift of irresponsible power, will not be realized. With all these governments, and with that of the empire of Brazil, no unexpected changes in our relations have occurred in the present year. Frequent causes of that just complaint have arisen upon the part of the citizens of the United States—sometimes from the irregular action of the constituted subordinate authorities of the maritime regions, and sometimes from the leaders or partisans of those in arms against the established government. In all cases representations have been or will be made, and as soon as their poli-

tical affairs are in a settled position, it is expected that our friendly remonstrances will be followed by adequate redress. The government of Mexico made known in December last the appointment of commissioners and a surveyor, on its part, to run, in conjunction with ours, the boundary line between its territories and the United States, and excused the delay for the reason anticipated—the prevalence of civil war. The commissioners and surveyors not having met within the time stipulated by the treaty, a new arrangement became necessary, and our chargé d'affaires was instructed in January last to negotiate in Mexico an article additional to the pre-existing treaty. This instruction was acknowledged, and no difficulty was apprehended in the accomplishment of that object. By information just received, that additional article to the treaty will be obtained, and transmitted to this country as soon as it can receive the ratification of the Mexican Congress. The re-union of the three states of New Granada, Venezuela, and Ecuador, forming the republic of Columbia, seems every day to become more improbable. The commissioners of the two first are understood to be now negotiating a just division of the obligations contracted by them when united under one government. The civil war in Ecuador, it is believed, has prevented even the appointment of a commissioner on its part. I propose at an early day to submit, in the proper form, the appointment of a diplomatic agent to Venezuela: the importance of the commerce of that country to the United States, and the large claims of our citizens upon the government arising before and since the division of Columbia, rendering it, in my judgment, im-

proper longer to delay this step. Our representative to Central America, Peru, and Brazil, are either at or on their way to their respective posts. From the Argentine Republic, from which a minister was expected to this government, nothing further has been heard. Occasion has been taken, on the departure of a new consul to Buenos Ayres, to remind that government that its long delayed minister, whose appointment had been made known to us, had not arrived.

"It becomes my unpleasant duty to inform you, that this pacific and highly gratifying picture of our foreign relations, does not include those with France at this time. It is not possible that any government and people could be more sincerely desirous of conciliating a just and friendly intercourse with another nation, than are those of the United States with their ancient ally and friend. This disposition is founded as well on the most grateful and honourable recollections, associated with our struggle for independence, as upon a well-grounded conviction that it is consonant with the true policy of both. The people of the United States could not, therefore, see without the deepest regret, even a temporary interruption of the friendly relations between the two countries—a regret which would, I am sure, be greatly aggravated if there should turn out to be any reasonable ground for attributing such a result to any act of omission or commission on our part. I derive, therefore, the highest satisfaction from being able to assure you, that the whole course of this government has been characterized by a spirit so conciliatory and forbearing, as to make it impossible

that our justice and moderation should be questioned, whatever may be the consequences of a longer perseverance on the part of the French Government in her omission to satisfy the conceded claims of our citizens.

"The history of the accumulated and unprovoked aggressions upon our commerce, committed by authority of the existing Governments of France, between the years 1800 and 1817, has been rendered too painfully familiar to Americans to make its repetition either necessary or desirable. It will be sufficient here to remark, that there has for many years been scarcely a single administration of the French Government by whom the justice and legality of the claims of our citizens to indemnity were not, to a very considerable extent, admitted; and yet near a quarter of a century has been wasted in ineffectual negotiations to secure it.

"Deeply sensible of the injurious effects resulting from this state of things upon the interests and character of both nations, I regarded it as among my first duties to cause one more effort to be made to satisfy France that a just and liberal settlement of our claims was as well due to her own honour as to their own incontestable validity. The negotiation for this purpose was commenced by the late Government of France, and was prosecuted with such success, as to leave no reasonable ground to doubt that a settlement of a character quite as liberal as that which was subsequently made would have been effected, had not the revolution by which the negotiation was cut off taken place. The discussions were resumed with the present government, and the result showed

we were not wrong in supposing, that an event by which the two governments were made to approach each other so much nearer in their political principles, and by which the motives for the most liberal and friendly intercourse were so greatly multiplied, could exercise no other than a salutary influence upon the negotiation. After the most deliberate and thorough examination of the whole subject, a treaty between the two governments was concluded and signed at Paris on the 4th of July, 1831, by which it was stipulated that "the French government, in order to liberate itself from all the reclamations preferred against it by the citizens of the United States, for unlawful seizures, captures, sequestrations, confiscations, or destruction of their vessels, cargoes, or other property, engages to pay a sum of 25,000,000 francs to the United States, who shall distribute it among those entitled, in the manner, and according to the rules it shall determine;" and it was also stipulated on the part of the French Government, that this 25,000,000 francs should "be paid at Paris in six annual instalments of 4,166,666 francs, and sixty-six centimes each, into the hands of such person or persons as shall be authorized by the government of the United States to receive it:" the first instalment to be paid "at the expiration of one year next following the exchange of the ratifications of this convention, and the others at the successive intervals of a year, one after another, till the whole shall be paid. To the amount of each of the said instalments shall be added interest at four per centum thereupon, as upon the other instalments then

remaining unpaid, the said interest to be computed from the day of the exchange of the present convention."

"It was also stipulated on the part of the United States, for the purpose of being completely liberated from all the reclamations presented by France on behalf of its citizens, that the sum of 1,500,000 francs should be paid to the government of France in six annual instalments to be deducted out of the annual sums which France had agreed to pay, interest thereupon being in like manner computed from the day of the exchange of the ratifications. In addition to this stipulation important advantages were secured to France by the following article,—namely: "The wines of France, from and after the exchange of the ratification of the present convention, shall be admitted to consumption in the states of the Union at duties which shall not exceed the following rates by the gallon (such as it is used at present for wines in the United States)—to wit, six cents for red wines in casks; ten cents for white wines in casks; and twenty-two cents for wines of all sorts in bottles. The proportions existing between the duties on French wines thus reduced, and the general rates of the tariff, which went into operation the 1st of January, 1829, shall be maintained, in case the government of the United States should think proper to diminish those general rates in a new tariff." In consideration of this stipulation, which shall be binding on the United States for ten years, the French government abandons the reclamations which it had formed in relation to the

8th article of the treaty of cession of Louisiana. It engages, moreover, to establish on the long staple cottons of the United States, which, after the exchange of the ratifications of the present convention, shall be brought directly thence to France by the vessels of the United States, or by French vessels, the same duties as on short staple cottons.

"This treaty was duly ratified in the manner prescribed by the constitutions of both countries, and the ratification was exchanged at the city of Washington on the 2nd of February, 1832. On account of its commercial stipulations it was, in five days thereafter, laid before the Congress of the United States, which proceeded to enact such laws favourable to the commerce of France as were necessary to carry it into full execution; and France has from that period to the present been in the unrestricted enjoyment of the valuable privileges that were thus secured to her. The faith of the French nation having been thus solemnly pledged, through its constitutional organ, for the liquidation and ultimate payment of the long deferred claims of our citizens, as also for the adjustment of other points of great and reciprocal benefits to both countries, and the United States having, with a fidelity and promptitude by which their conduct will, I trust, be always characterised, done every thing that was necessary to carry the treaty into full and fair effect on their part, they counted with the most perfect confidence on equal fidelity and promptitude on the part of the French government. In this reasonable expectation we have been, I regret to inform you,

wholly disappointed. No legislative provision has been made by France for the execution of the treaty, either as it respects the indemnity to be paid, or the commercial benefits to be secured to the United States; and the relations between the United States, and that power, in consequence thereof, are placed in a situation threatening to interrupt the good understanding which has so long and so happily existed between the two nations.

Not only has the French government been wanting in the performance of the stipulations it has so solemnly entered into with the United States, but its omissions have been marked by circumstances which would seem to leave us without satisfactory evidences that such performance will certainly take place at a future period. Advice of the exchange of the ratifications reached Paris prior to the 8th of April, 1832. The French Chambers were then sitting, and continued in session until the 21st of that month, and although one instalment of the indemnity was payable on the 2nd of February, 1833, one year after the exchange of ratifications, no application was made to the Chambers for the required appropriation, and in consequence of no appropriation having then been made, the draught of the United States government for that instalment was dishonoured by the minister of finance, and the United States thereby involved in much controversy. The next session of the chambers commenced on the 19th of November, 1832, and continued until the 25th of April, 1833. Notwithstanding the omission to pay the first instalment had been made the subject of ear-

nest remonstrance on our part, the treaty with the United States, and a bill making the necessary appropriations to execute it, were not laid before the chamber of deputies until the 6th of April—nearly five months after its meeting, and only nineteen days before the close of the session. The bill was read and referred to a committee, but there was no further action upon it. The next session of the chambers commenced on the 26th of April, 1833, and continued until the 26th of June following. A new bill was introduced on the 11th of June, but nothing important was done in relation to it during the session. In April, 1834, nearly three years after the signature of the treaty, the final action of the French chambers upon the bill to carry the treaty into effect was obtained, and resulted in a refusal of the necessary appropriations. The avowed grounds upon which the bill was rejected, are to be found in the published debates of that body, and no observations of mine can be necessary to satisfy Congress of their utter insufficiency. Although the gross amount of the claims of our citizens is probably greater than will be ultimately allowed by the commissioners, sufficient is nevertheless shown to render it absolutely certain, that the indemnity falls far short of the actual amount of our just claims, independently of the question of damages and interest for the detention. That the settlement involved a sacrifice in this respect was well known at the time—a sacrifice which was cheerfully acquiesced in by the different branches of the federal government, whose action upon the treaty was required, from a sincere desire to avoid fur-

ther collision upon this old and disturbing subject, and in the confident expectation that the general relations between the two countries would be improved thereby.

“ The refusal to vote the appropriation, the news of which was received from our minister in Paris about the 15th day of May last, might have been considered the final determination of the French government not to execute the stipulations of the treaty, and would have justified an immediate communication of the facts to congress, with a recommendation of such ultimate measures as the interest and honour of the United States might seem to require. But with the news of the refusal of the chambers to make the appropriation was conveyed the regrets of the king, and a declaration that a national vessel should be forthwith sent out, with instructions to the French minister to give the most ample explanations of the past, and the strongest assurances for the future. After a long passage, the promised despatch-vessel arrived. The pledges given by the French minister, upon receipt of his instructions, were, that as soon after the election of the new members as the charter would permit, the legislative chambers of France should be called together, and the proposition for an appropriation laid before them; that all the constitutional powers of the king and his cabinet should be exerted to accomplish the object, and that the result should be made known early enough to be communicated to Congress at the commencement of the present session. Relying upon these pledges, and not doubting

that the acknowledged justice of our claims, the promised exertions of the king and his cabinet, and above all, that sacred regard for the national faith and honour for which the French character has been so distinguished, would secure an early execution of the treaty in all its parts, I did not deem it necessary to call the attention of Congress to the subject at the last session.

I regret to say, that the pledges made through the ministers of France have not been redeemed. The new chambers met on the 31st of July last, and although the subject of fulfilling treaties was alluded to in the speech from the throne, no attempt was made by the king or his cabinet to prepare an appropriation to carry it into execution. The reasons given for this omission, although they might be considered sufficient in an ordinary case, are not consistent with the expectations founded upon the assurances given here; for there is no constitutional obstacle to entering into legislative business at the first meeting of the chambers. This point, however, might have been overlooked, had not the chambers, instead of being called to meet at so early a day, that the result of their deliberations might be communicated to me before the meeting of congress, been prorogued to the 29th of the present month—a period so late, that their decision can scarcely be made known to the present Congress prior to its dissolution. To avoid this delay our minister in Paris, in virtue of the assurance given by the French minister in the United States, strongly urged the convocation of the chambers at an earlier day, but without suc-

cess. It is proper to remark, however, that this refusal has been accompanied by the most positive assurances on the part of the executive government of France of their intention to press the appropriation at the ensuing session of the chambers. The executive branch of this government has, as matters stand, exhausted all the authority upon the subject with which it is invested, and which it had any reason to believe could be beneficially employed. The idea of acquiescing in the refusal to execute the treaty will not, I am confident, be for a moment entertained by any branch of this government; and further negotiation is equally out of the question. If it shall be the pleasure of Congress to await the further action of the French chambers, no further consideration of the subject will at this season probably be required at your hands. But if, from the original delay in asking for an appropriation, from the refusal of the chambers to grant it when asked, from the omission to bring the subject before the chambers last session, from the fact that, including the session, there were five different occasions when the appropriation might have been made, and from the delay in convoking the chambers until some weeks after the meeting of Congress, it was well known, that a communication of the whole subject to Congress at the last session was prevented by assurances, that it should be disposed of before its present meeting, you should feel yourselves constrained to doubt whether it be the intention of the French government in all its branches to carry the treaty into effect, and think that such mea-

asures as the occasion may be deemed to call for should be now adopted, the important question arises what those measures shall be. Our institutions are essentially pacific. Peace and friendly intercourse with all nations are as much the desire of our government as they are the interests of our people. But these objects are not to be permanently secured by surrendering the rights of our citizens, or permitting solemn treaties for their indemnity in cases of flagrant wrong to be abrogated or set aside. It is undoubtedly in the power of Congress seriously to affect the agricultural and manufacturing interests of France, by the passing of laws relating to her trade with the United States. Her products, manufactures, and tonnage may be subjected to heavy duties in our ports, or all commercial intercourse with her may be suspended. But there are powerful, and, to my mind, conclusive objections to this mode of proceeding. We cannot embarrass or cut off the trade of France without at the same time in some degree embarrassing or cutting off our own trade. The injury of such a warfare must fall, though unequally, upon our own citizens, and could not but impair the means of the government, and weaken that united sentiment in support of the rights and honour of the nation which must now pervade every bosom. Nor is it impossible that such a course of legislation would introduce once more into our national councils those disturbing questions in relation to the tariff of duties which have been so recently put to rest. Besides, by every measure adopted by the Government of the United States with the view of injuring France,

the clear perception of right which will induce our own people, and the rulers and people of all other nations, even of France herself, to pronounce our quarrel just, will be obscured, and the support rendered to us in a final resort to more decisive measures will be more limited and equivocal. There is but one point in the controversy, and upon that the whole civilized world must pronounce France to be in the wrong. We insist that she shall pay us a sum of money, which she has acknowledged to be due, and of the justice of this demand there can be but one opinion among mankind. True policy seems to dictate that the question at issue should be kept thus disencumbered, and that not the slightest pretence should be given to France to persist in her refusal to make payment, by any act on our part affecting the interest of her people. The question should be left as it is now, in such an attitude that when France fulfils her treaty stipulations, all controversy will be at an end.

“It is my conviction that the United States ought to insist on a prompt execution of the treaty, and in case it be refused or longer delayed, take redress into their own hands. After the delay on the part of France of a quarter of a century in acknowledging these claims by treaty, it is not to be tolerated that another quarter of a century is to be wasted in negotiating about the payment. The laws of nations provide a remedy for such occasions. It is a well-settled principle of the international code, that where one nation owes another a liquidated debt, which it refuses or neglects to pay, the aggrieved party may seize on the property

belonging to the other, its citizens, or subjects, sufficient to pay the debt, without giving just cause of war. This remedy has been repeatedly resorted to, and recently by France herself towards Portugal, under circumstances less questionable. The time at which resort should be had to this or any other mode of redress, is a point to be decided by Congress. If an appropriation shall not be made by the French Chambers at their next session, it may justly be concluded, that the Government of France has finally determined to disregard its own solemn undertaking, and refused to pay an acknowledged debt. In that event every day's delay on our part will be a stain upon our national honour, as well as a denial of justice to our injured citizens. Prompt measures, when the refusal of France shall be complete, will not only be most honourable and just, but will have the best effect upon our national character. Since France, in violation of the pledges given through her minister here, has delayed her final action so long that her decision will not probably be known in time to be communicated to this Congress, I recommend that a law be passed, authorizing reprisals upon French property, in case provisions shall not be made for the payment of the debt at the approaching session of the French Chambers. Such a measure ought not to be considered by France as a menace. Her pride and power are too well known to expect any thing from her fears, and preclude the necessity of a declaration that nothing partaking of the character of intimidation is intended by us. She ought to look upon it as the evidence only of an inflexible determination on the part of the United States to insist on

their rights. That government, by doing only what it has itself acknowledged to be just, will be able to spare the United States the necessity of taking redress into their own hands, and save the property of French citizens from that seizure and sequestration which American citizens so long endured without retaliation or redress. If she should continue to refuse that act of acknowledged justice, and in violation of the law of nations, make reprisals on our part the occasion of hostilities against the United States, she would but add violence to injustice, and could not fail to expose herself to the just censure of civilized nations, and the retributive judgments of Heaven. Collision with France is the more to be regretted on account of the position she occupies in Europe in relation to liberal institutions. But in maintaining our national rights and honour all governments are alike to us. If by collision with France, in a case where she is clearly in the wrong, the march of liberal principles shall be impeded, the responsibility for that result, as well as every other, will rest on her own head. Having submitted these considerations, it belongs to Congress to decide, whether, after what has taken place, it will still await the further action of the French Chambers, or now adopt such provisional measures as it may deem necessary and best adapted to protect the rights and maintain the honour of the country. Whatever that decision may be, it will be faithfully enforced by the Executive as far as he is authorized so to do.

“According to the estimate of the Treasury Department, the revenue accruing from all sources during the present year will amount

to \$20,624,717, which with the balance remaining in the treasury on the 1st of January last of \$11,702,905, produces an aggregate of \$32,327,623. The total expenditure during the year for all objects, including the public debt, is estimated at \$25,591,890, which will leave a balance in the treasury on the 1st of January, 1835, of \$6,736,232. In this balance, however, will be included about \$1,150,000 of what was heretofore reported by the department as not effective. Of former appropriations it is estimated that there will remain unexpended at the close of the year \$8,200,925, and that of this sum there will not be required more than \$5,141,964 to accomplish the objects of all the current appropriations. Thus it appears that after satisfying all those appropriations, and after discharging the last item of our public debt, which will be done on the 1st of January next, there will remain unexpended in the treasury an effective balance of about \$440,000. That such should be the aspect of our finances is highly flattering to the industry and enterprise of our population, and auspicious of the wealth and prosperity which await the future cultivation of their growing resources. It is not deemed prudent, however, to recommend any change for the present in our impost rates, the effect of the gradual reduction now in progress in many of them not being sufficiently tested to guide us in determining the precise amount of revenue which they will produce. Free from public debt, at peace with all the world, and with no complicated interests to consult in our intercourse with foreign powers, the present may be hailed as that epoch in our his-

tory the most favourable for the settlement of those principles in our domestic policy which shall be best calculated to give stability to our republic, and secure the blessings of freedom to our citizens. Among these principles, from our past experience, it cannot be doubted that simplicity in the character of the Federal Government, and a rigid economy in its administration, should be regarded as fundamental and sacred. All must be sensible that the existence of the public debt, by rendering taxation necessary for its extinguishment, has increased the difficulties which are inseparable from every exercise of the taxing power, and that it was in this respect a remote agent in producing those disturbing questions which grew out of the discussions relating to the tariff. If such has been the tendency of a debt incurred in the acquisition and maintenance of our national rights and liberties, the obligations of which all portions of the union cheerfully acknowledged, it must be obvious, that whatever is calculated to increase the burdens of government without necessity must be fatal to all our hopes of preserving its true character. While we are felicitating ourselves, therefore, upon the extinguishment of the national debt, and the prosperous state of our finances, let us not be tempted to depart from those sound maxims of public policy which enjoin a just adaptation of the revenue to the expenditures that are consistent with a rigid economy, and an entire abstinence from all topics of legislation that are not clearly within the constitutional powers of the government, and suggested by the wants of the country. Properly regarded, under such a policy, every diminution of the pub-

lie burdens arising from taxation gives to individual enterprise increased power, and furnishes to all the members of our happy confederacy new motives for patriotic affection and support. But, above all, its most important effect will be found in its influence upon the character of the government, by confining its action to those objects which will be sure to secure to it the attachment and support of our fellow-citizens.

“Circumstances make it my duty to call the attention of Congress to the bank of the United States. Created for the convenience of the government, that institution has become the scourge of the people. Its interference to postpone the payment of a portion of the national debt, that it might retain the public money appropriated for that purpose to strengthen it in a political contest—the extraordinary extension and contraction of its accommodation to the community—its corrupt and partisan loans—its exclusion of the public directors from a knowledge of its most important proceedings—the unlimited authority conferred on the president to expend its funds in hiring writers, and procuring the execution of printing, and the use made of that authority—the retention of the pension money and books, after the selection of new agents—the groundless claim to heavy damages, in consequence of the protest of the bill drawn on the French Government, have, through various channels, been laid before Congress. Immediately after the close of the last session, the bank, through its president, announced its ability and readiness to abandon the system of unparalleled curtailment, and the interruption of domestic exchanges

which it had practised upon from the 1st of August, 1833, to the 30th of June, 1834, and to extend its accommodations to the community. The grounds assumed in this annunciation amounted to an acknowledgment that the curtailment, in the extent to which it had been carried, was not necessary to the safety of the bank, and had been persisted in merely to induce Congress to grant the prayer of the bank in its memorial relative to the removal of the deposits, and to give it a new charter. They were substantially a confession that all the real distresses, which individuals and the country had endured for the preceding six or eight months, had been needlessly produced by it, with the view of effecting, through the sufferings of the people, the legislative action of Congress. It is a subject of congratulation that Congress and the country had the virtue and firmness to bear the infliction; that the energies of our people soon found relief from this wanton tyranny in vast importations of the precious metals from almost every part of the world; and that at the close of this tremendous effort to control our government, the bank found itself powerless, and no longer able to loan out its surplus means. The community had learned to manage its affairs without its assistance, and trade had already found new auxiliaries; so that on the 1st of October last, the extraordinary spectacle was presented of a national bank, more than one half of whose capital was either lying unproductive in its vaults, or in the hands of foreign bankers. To the needless distresses brought on the country during the last session of Congress has been added the open seizure of the dividends on the public stock, to the

amount of \$170,041, under pretence of paying damages, costs, and interest upon the protested French bill. This sum constituted a portion of the estimated revenues for the year 1834, upon which the appropriations made by Congress were based. It would as soon have been expected that our collectors would seize on the customs, or the receivers of our land offices on the monies arising from the sale of public lands, under pretences of claims against the United States, as the bank would have retained the dividends. Indeed, if the principle be established that any one, who chooses to set up a claim against the United States, may, without authority of law, seize on the public property or money wherever he can find it, to pay the claim, there will remain no assurance that our revenues will reach the treasury, or that it will be applied after the appropriation to the purposes designated in the law. The paymasters of our army, and the pursers of our navy, may, under like pretences, apply to their own use monies appropriated to set in motion the public force, and in time of war leave the country without defence. This measure resorted to by the bank is disorganizing and revolutionary, and if generally resorted to by private citizens in like cases, would fill the land with anarchy and violence. It is a constitutional provision that "no money shall be drawn from the Treasury but in consequence of appropriations made by law." The palpable object of this provision is to prevent the expenditure of the public money for any purpose whatsoever, which shall not have been first approved by the representatives of the people and States in Congress assembled. It vests the power of declaring for

what purposes the public money shall be expended in the legislative department of the government, to the exclusion of the executive and judicial, and it is not within the constitutional authority of either of those departments to pay it away without law, or to sanction its payment. According to this plain constitutional provision, the claim of the bank can never be paid without an act of Congress. But the bank never asked for an appropriation. It attempts to defeat the provision of the constitution, and obtain payment without an act of Congress; instead of awaiting an appropriation passed by both houses, and approved by the president, it makes an appropriation for itself, and invites an appeal to the judiciary to sanction it. That the money had not technically been paid into the Treasury does not affect the principle intended to be established by the constitution. The executive and judiciary have as little right to appropriate and expend the public money without authority of law, before it is placed to the credit of the treasurer, as to take it from the Treasury. In the annual report of the secretary of the Treasury, and in his correspondence with the president of the bank, and the opinion of the attorney-general accompanying it, you will find a further examination of the claims of the bank, and the course it has pursued.

It seems due to the safety of the public funds remaining in that bank, and to the honour of the American people, that measures be taken to separate the government entirely from an institution so mischievous to the public prosperity, and so regardless to the constitution and laws. By transferring the

public deposits, by appointing other pension agents, as far as it had the power, by ordering the discontinuance of the receipt of bank checks in payment of the public dues after the first day of January next, the executive has exerted all its lawful authority to sever the connexion between the government and this faithless corporation. The high-handed career of this institution imposes upon the constitutional functionaries of this government duties of the gravest and most imperative character—duties which they cannot avoid, and from which I trust there will be no inclination on the part of any of them to shrink. My own sense of them is most clear, as is also my readiness to discharge those which may rightfully fall on me. To continue any business relations with the bank of the United States that may be avoided without a violation of the national faith, after that institution has set at open defiance the conceded right of the government to examine its affairs,—after it has done all in its power to deride the public authority in other respects, and to bring it into disrepute at home and abroad,—after it has attempted to defeat the clearly expressed will of the people by turning against them the immense power intrusted to its hands, and by involving a country otherwise peaceful, flourishing, and happy, in dissension, embarrassment, and distress, would make the nation itself a party to the degradation so sedulously prepared for its public agents, and do much to destroy the confidence of mankind in popular governments, and to bring into contempt their authority and efficiency. In guarding against an evil of such magnitude, considerations of temporary

convenience should be thrown out of the question, and we should be influenced by such motives only as look to the honour and preservation of the republican system. Deeply and solemnly impressed with the justice of these views, I feel it to be my duty to recommend to you that a law be passed authorizing the sale of the public stock: that the provision of the charter requiring the receipt of notes of the bank in payment of public dues shall, in accordance with the power reserved to Congress in the 14th section of the charter, be suspended until the bank pays to the Treasury the dividend withheld; and that all laws connecting the government or its officers with the bank, directly or indirectly, be repealed; and that the institution be left hereafter to its own resources and means. Events have satisfied my mind, and I think the minds of the American people, that the mischiefs and dangers which flow from a national bank far overbalance all its advantages. The bold effort the present bank has made to control the government, the distresses it has wantonly produced, the violence of which it has been the occasion in one of our cities famed for its observance of law and order, are but premonitions of the fate which awaits the American people should they be deluded into a perpetuation of this institution, or the establishment of another like it. It is fervently hoped that, thus admonished, those who have heretofore favoured the establishment of a substitute for the present bank will be induced to abandon it, as it is evidently better to incur any inconvenience that may be reasonably expected, than to concentrate the whole monied power of th

republic in any form whatsoever, or under any restrictions. Happily, it is already illustrated that the agency of such an institution is not necessary to the fiscal operations of the government. The state banks are found fully adequate to the performance of all services which were required of the bank of the United States, quite as promptly, and with the same cheapness. They have maintained themselves, and discharged all these duties, while the bank of the United States was still powerful, and in the field as an open enemy: it is not possible to conceive that they will find greater difficulties in their operations when that enemy shall cease to exist. The attention of Congress is invited to the regulation of deposits in the state banks by law. Although the power exercised by the executive department in this behalf is only such as was uniformly exerted through every administration from the origin of the government up to the establishment of the present bank, yet it is one which is susceptible of regulation by law, and therefore ought so to be regulated. The power of Congress to direct in what places the treasurer shall keep the monies in the Treasury, and to impose restrictions upon the executive authority in relation to their custody and removal, is unlimited, and its exercise will rather be courted than discouraged by those public officers and agents on whom rests the responsibility for their safety. It is desirable that as little power as possible should be left to the president or secretary of the Treasury over those institutions — which, being thus freed from executive influence, and without a common head to direct their operations, would have neither the temptation

nor the ability to interfere in the political conflicts of the country. Not deriving their charters from the national authorities, they would never have those inducements to meddle in general elections which have led the bank of the United States to agitate and convulse the country for upwards of two years. The progress of our gold coinage is creditable to the officers of the Mint, and promises in a short period to furnish the country with a sound and portable currency, which will much diminish the inconvenience to travellers of a want of a general paper currency, should the State's bank be incapable of furnishing it. Those institutions have already shown themselves competent to purchase and furnish domestic exchange for the convenience of trade at reasonable rates, and not a doubt is entertained that in a short period all the wants of the country in bank accommodations, and exchange will be supplied as promptly and cheaply as they have heretofore been by the bank of the United States. If the several states shall be induced gradually to reform their banking systems, and prohibit the issue of all small notes, we shall in a few years have a currency as sound, and as little liable to fluctuations, as any other commercial country.

The report of the secretary of war, together with the accompanying documents from the several bureaux of that department, will exhibit the situation of the various objects committed to its administration. No event has occurred since your last session rendering necessary the movements of the army, with the exception of the regiment of dragoons into the territory of the wandering and predatory tribes inhabiting the western

frontier, and to the Mexican boundary. These tribes have been heretofore known to us principally by their attacks upon our own citizens, and upon other Indians entitled to the protection of the United States. It became necessary for the peace of the frontiers to check these habitual inroads, and I am happy to inform you that the object has been effected without the commission of any act of hostility. Colonel Dodge, and the troops under his command, have acted with equal firmness, and an arrangement has been made with those Indians which it is hoped will assure their permanent pacific relations with the United States and the other tribes of Indians upon that border. It is to be regretted that the prevalence of sickness in that quarter has deprived the country of a number of valuable lives, and particularly that of general Leavenworth, an officer well known and esteemed for his gallant services in the late war, and for his subsequent good conduct, who has fallen a victim to his zeal and exertions in the discharge of his duty. The army is in a high state of discipline. Its moral condition, so far as that is known here, is good, and the various branches of the public service are carefully attended to. It is amply sufficient, under its present organization, for providing the necessary garrisons for the seaboard and for the defence of the internal frontier, and also for preserving the elements of military knowledge, and for keeping pace with those improvements which modern experience is continually making. And these objects appear to me to embrace all the legitimate purposes for which a permanent military force should be maintained in our country. The lessons of

history teach us its danger, and the tendency which exists to an increase. This can be best met and averted by a just caution on the part of the public itself, and of those who represent them in Congress. From the duties which devolve on the engineer department, and upon the topographical engineers, a different organization seems to be demanded by the public interest, and I recommend the subject to your consideration. No important change has during this season taken place in the condition of the Indians. Arrangements are in progress for the removal of the Creeks, and will be soon for the removal of the Seminoles. I regret that the Cherokees, east of the Mississippi, have not yet determined, as a community, to remove. How long the personal causes which have heretofore retarded that ultimately inevitable measure will continue to operate I am unable to conjecture. It is certain, however, that delay will bring with it accumulated evils, which will render their condition more and more unpleasant. The experience of every year adds to the conviction that emigration, and that alone, can preserve from destruction the remnant of the tribes yet living among us. The facility with which the necessaries of life are procured, and the treaty stipulations providing aid for the emigrant Indians in their agricultural pursuits, and in the important concern of education, and their removal from those causes which have heretofore depressed all and destroyed many of the tribes, cannot fail to stimulate their exertions, and to reward their industry.

The two laws passed at the last session of Congress on the subject of the Indian affairs have been

carried into effect, and detailed instructions for their administration have been given. It will be seen by the estimate for the present session, that a great reduction will take place in the expenditures of the department in consequence of these laws; and there is reason to believe that their operation will be salutary, and that the colonization of the Indians on the western frontier, together with a judicious system of administration, will still further reduce the expenses of this branch of the public service, and at the same time promote its usefulness and efficiency. Circumstances have been developed, showing the existence of extensive frauds under the various laws granting pensions and gratuities for revolutionary services. It is impossible to estimate the amount which may have been thus fraudulently obtained from the national treasury. I am satisfied, however, it has been such as to justify a re-examination of the system, and the adoption of the necessary checks in its administration. All will agree, that the services and sufferings of the remnant of our revolutionary band should be fully compensated. But while this is done, every precaution should be taken to prevent the admission of fabricated and fraudulent claims. In the present mode of proceeding the attestations and certificates of judicial officers of the various states form a considerable portion of the checks which are interposed against the commission of frauds. These, however, have been, and may be fabricated, and in such a way as to elude detection at the examining offices. And independently of this practical, difficulty it is ascertained that these documents are often loosely granted; sometimes

even bank certificates have been issued; sometimes prepared papers have been signed without inquiry; and, in one instance at least, the seal of the court has been within reach of a person most interested in its improper application. It is obvious that, under such circumstances, no severity of administration can check the abuse of the law; and information has, from time to time, been communicated to the pension-office, questioning or denying the right of persons placed upon the pension list to the bounty of the country. Such cautions are always attended to and examined. But a far more general investigation is called for, and I therefore recommend, in conformity with the suggestion of the secretary of war, that an actual inspection should be made in each state into the circumstances and claims of every person now drawing a pension. The honest veteran has nothing to fear from such a scrutiny, while the fraudulent claimant will be detected, and the public treasury relieved to an amount, I have reason to believe, far greater than has heretofore been suspected. The details of such a plan could be so regulated as to interpose the necessary checks without any burdensome operation upon the pensioners. The object should be two-fold. 1. To look into the original justice of the claims, so far as this can be done under a proper system of regulations, by an examination of the claimants themselves, and by inquiring, in the vicinity of their residences, into their history, and into the opinion entertained of their revolutionary services. 2. To ascertain, in all cases, whether the original claimant is living, and this by actual personal inspection.

“ This measure will, if adopted,

be productive I think of the desired results, and I therefore recommend it to your consideration, with the further suggestion that all payments should be suspended till the necessary reports are received. It will be seen by a tabular statement annexed to the documents transmitted to Congress, that the appropriations for objects connected with the war department, made at the last session for the service of the year 1834, excluding the permanent appropriations for the payment of military gratuities under the act of June 8, 1832, the appropriation of \$200,000 for arming and equipping the militia, and the appropriation of \$10,000 for the civilization of the Indians, which are not annually renewed, amounted to the sum of \$9,008,261, and that the estimates of the appropriations necessary for the same branches of service for the year 1835, amounts to the sum of \$5,778,964, making a difference in the appropriations of the current year over the estimates of appropriation for the next of \$3,224,297.

"The principal causes which have operated at this time to produce this great difference are shown in the reports and documents, and in the detailed estimates. Some of these causes are accidental and temporary, while others are permanent, and, aided by a just course of administration, may continue to operate beneficially upon the public expenditures. A just economy, expending where the public service requires, and withholding where it does not, is among the indispensable duties of the government. I refer you to the accompanying report of the secretary of the navy, and to the documents with it, for a full view of the operations of that important branch of our service

VOL. LXXVI.

during the present year. It will be seen that the wisdom and liberality with which Congress have provided for the gradual increase of our navy material have been seconded by a corresponding zeal and fidelity on the part of those to whom has been confided the execution of the laws on the subject, and that but a short period would be now required to put in commission a force large enough for any exigency into which the country may be thrown.

"When we reflect upon our position in relation to other nations, it must be apparent, that in the event of conflicts with them, we must look chiefly to our navy for the protection of our national rights. The wide seas which separate us from other governments must of necessity be the theatre on which an enemy will aim to assail us, and unless we are prepared to meet him on that element, we cannot be said to possess the power requisite to repel or prevent aggressions. We cannot, therefore, watch with too much attention this arm of our defence, or cherish with too much care the means by which it can possess the necessary efficiency and extension. To this end our policy has been heretofore wisely directed, to the constant employment of a force sufficient to guard our commerce, and to the rapid accumulation of the materials which are necessary to repair our vessels, and construct with ease such new ones as may be required in a state of war. In accordance with this policy, I recommend to your consideration the erection of the additional dry dock, described by the secretary of the navy, and also the construction of the steam batteries to which he has referred, for the purpose of testing their effi-

2 B

cacy as auxiliaries to the system of defence now in use. The report of the postmaster-general, herewith submitted, exhibits the condition and prospects of that department. From that document it appears that there was a deficit in the funds of the department at the commencement of the present year, beyond its available means, of \$315,599 98c., which on the 1st of July last had been reduced to \$268,092 74c. It appears, also, that the revenues for the coming year will exceed the expenditures about \$270,000, which, with the excess of revenue which will result from the operations of the current half-year, may be expected independently of any increase in the gross amount of postages, to supply the entire deficit before the end of 1835. But as this calculation is based on the gross amount of postages which had accrued within the period embraced by the times of striking the balances, it is obvious that without a progressive increase in the amount of postages, the existing retrenchments must be persevered in through the year 1836, that the department may accumulate a surplus fund sufficient to place it in a condition of perfect ease. It will be observed that the revenues of the post-office department, though they have increased, and their amount is above that of any former year, have not fallen short of the estimates more than \$100,000. This is attributed in a great degree to the increase of free letters, growing out of the extension and abuse of the franking privilege. There has been a gradual increase in the number of executive offices to which it has been granted; and by an act passed in March, 1833, it was extended to members of Congress through-

out the whole year. It is believed that a revision of the laws relative to the franking privilege, with some enactments to enforce more rigidly the restrictions under which it is granted, would operate beneficially to the country, by enabling the department at an earlier period to restore the mail facilities that have been withdrawn, and to extend them more widely as the growing settlements of the country may require.

“To a measure so important to the Government, and so just to our constituents, who ask no exclusive privileges for themselves, and are not willing to concede them to others, I earnestly recommend the serious attention of Congress. The importance of the post-office department, and the magnitude to which it has grown, both in its revenues and its operations, seem to demand its re-organisation by law. The whole of its receipts and disbursements have hitherto been left entirely to executive control and individual discretion. The principle is as sound in relation to this as to any other department of the government, that as little discretion should be confided to the executive officer who controls it as is compatible with its efficiency. It is therefore earnestly recommended that it be organized with an auditor and treasurer of its own, appointed by the president and senate, who shall be branches of the treasury department. Your attention is again respectfully invited to the defect which exists in the judicial system of the United States. Nothing can be more desirable than the uniform operation of the federal judiciary throughout the several states, all of which, standing on the same footing as members of the Union, have equal rights to the

advantages and benefits resulting from its laws. This object is not attained by the judicial acts now in force, because they leave one-fourth of the states without circuit courts. It is undoubtedly the duty of Congress to place all the states on the same footing in this respect, either by the creation of an additional number of associate judges, or by an enlargement of the circuits assigned to those already appointed, so as to include the new states. Whatever may be the difficulty in a proper organization of the judicial system, so as to secure its efficiency and uniformity in all parts of the union, and at the same time to avoid such an increase of judges as would encumber the supreme appellate tribunal, it should not be allowed to weigh against the great injustice which the present operation of the system produces.

"I trust that I may be also pardoned for renewing the recommendation I have so often submitted to your attention, in regard to the mode of electing the President and Vice-President of the United States. All the reflection I have been able to bestow upon the subject increases my conviction that the best interests of the country will be promoted by the adoption of some plan which will secure, in all contingencies, that important right of sovereignty to the direct control of the people. Could this be attained, and the terms of those officers be limited to a single period of either four or six years, I think our liberties would possess an additional safeguard. At your last session I called the attention of Congress to the destruction of the public building occupied by the treasury department. As the public interest requires that another building should be erected with as little de-

lay as possible, it is hoped that the means will be seasonably provided, and that they will be ample enough to authorize such an enlargement and improvement in the plan of the building as will more effectually accommodate the public officers, and secure the public documents deposited in it from the casualties of fire. I have not been able to satisfy myself that the bill entitled "An act to improve the navigation of the Wabash River," which was sent to me at the close of your last session, ought to pass, and I have therefore withheld from it my approval, and now return it to the Senate, the body in which it originated. There can be no question connected with the administration of public affairs more important or more difficult to be satisfactorily dealt with than that which relates to the rightful authority and proper action of the Federal Government upon the subject of internal improvements. To inherent embarrassments have been added others resulting from the course of our legislation concerning it.

"I have heretofore communicated freely with Congress upon this subject, and in adverting to it again, I cannot refrain from expressing my increased conviction of its extreme importance, as well in regard to its bearing upon the maintenance of the constitution and the prudent management of the public revenue, as on account of its disturbing effect upon the harmony of the union. We are in no danger from violations of the constitution, by which encroachments are made upon the personal rights of the citizen. The sentence of condemnation long since pronounced by the American people upon acts of that character will, I doubt not,

continue to prove as salutary in its effects as it is irreversible in its nature. But against the danger of unconstitutional acts, which, instead of menacing the vengeance of offended authority, proffer local advantages, and bring in their train to the patronage of the Government, we are, I fear, not so safe. To suppose that because our Government has been instituted for the benefit of the people, it must therefore have the power to do whatever may seem to conduce for the public good, is an error into which even honest minds are too apt to fall. In yielding to this fallacy, they overlook the great considerations in which the Federal Constitution was founded. They forget, that in consequence of the conceded diversities in the interest and condition of the different states, it was foreseen, at the time of its adoption, that though a particular measure of the Government might be beneficial and proper in one state, it might be the reverse in another; that it was for this reason the states should not consent to make a grant to the Federal Government of the general and usual powers of government, but of such only as were specifically enumerated, and the probable effects of which they could, as they thought, safely anticipate; and they forget also the paramount obligations upon all to abide by the compact, then so solemnly, and, as it was hoped, so firmly established. In addition to the dangers to the constitution springing from the sources I have stated, there has been one which was perhaps greater than all. I allude to the materials which this subject has afforded for sinister appeals to selfish feelings, and the opinion heretofore so extensively

entertained of its adaptation to the purposes of personal ambition. With such stimulants, it is not surprising that the acts and pretensions of the federal government in this behalf should sometimes have been carried to an alarming extent. The questions which have arisen upon this subject have related—

“1st, to the power of making internal improvements within the limits of a state, with the right of the territorial jurisdiction, sufficient at least for their preservation and use; 2nd, to the right of appropriating money in aid of such works when carried on by a state or by a company in virtue of state authority, surrendering the claim of jurisdiction; and, 3rd, to the propriety of appropriation for improvements of a particular class—namely, for light-houses, beacons, buoys, public piers, and for the removal of sand-bars, sawyers, and other temporary and partial impediments in our navigable rivers and harbours.

“The claims of power for the general government upon each of these points certainly present matter of the deepest interest. The first is, however, of much the greatest importance, inasmuch as, in addition to the dangers of unequal and improvident expenditure of public monies common to all, there is superadded that of the conflicting jurisdictions of the respective governments. Federal jurisdiction, at least to the extent I have stated, has been justly regarded by its advocates as necessarily appurtenant to the power in question, if that exists by the constitution. That the most injurious conflicts would unavoidably arise between the respective jurisdiction of the state and federal

governments, in the absence of a constitutional provision marking out their respective boundaries, cannot be doubted. The local advantages obtained would induce the states to overlook in the beginning the dangers and difficulties to which they might ultimately be exposed. The powers exercised by the federal government would soon be regarded with jealousy by the state authorities, and, originating as they must from implication or assumption, it would be impossible to affix to them certain and safe limits. Opportunities and temptations to the assumption of power incompatible with state sovereignty would be increased, and those barriers which resist the tendency of our system towards consolidation greatly weakened. The officers and agents of the general government might not always have the discretion to abstain from intermeddling with state concerns; and if they did, they would not always escape the suspicion of having done so. Collisions and consequent irritations would spring up—that harmony which should ever exist between the general government, and each member of the confederacy would be frequently interrupted, a spirit of contention would be engendered, and the dangers of division greatly multiplied. Yet we all know, that notwithstanding these grave objections, this dangerous doctrine was at one time apparently proceeding to its final establishment with fearful rapidity. The desire to embark the federal government in works of internal improvement prevailed in the highest degree during the first session of the first congress that I had the honour to meet in my present situation. When the bill, authorising

a subscription on the part of the United States for stock in the Maysville and Lexington Turnpike Companies passed the two houses, there had been reported by the committees of internal improvement bills containing appropriations for such objects, exclusive of those for the Cumberland-road, and for harbours and lighthouses, to the amount of about 106,000,000 dollars. In this amount was included authority to the secretary of the Treasury to subscribe for the stock of different companies to a great extent, and the residue was principally for the direct construction of roads by this government. In addition to these projects, which had been presented to the two houses under the sanction and recommendation of their respective committees on internal improvements, there were then still pending before the committees, and in memorials to Congress, presented, but not referred, different projects for works of a similar character, the expense of which cannot be estimated with certainty, but must have exceeded 100,000,000 dollars. Regarding the bill authorising a subscription to the stock of the Maysville and Lexington Turnpike Company, as the entering wedge of a system which, however weak at first, might soon become strong enough to rive the bands of the Union asunder, and believing that if its passage was acquiesced in by the executive, and the people, there would no longer be any limitation upon the authority of the general government in respect to the appropriation of money for such objects, I deemed it an imperative duty to withhold from it the executive approval. Although, from the obviously local character of that work, I might well have con-

tented myself with a refusal to approve the bill upon that ground, yet, sensible of the vital importance of the subject, and anxious that my views and opinions in regard to the whole matter should be fully understood by Congress and my constituents, I felt it my duty to go further. I therefore embraced that early occasion to apprise Congress that, in my opinion, the constitution did not confer upon it the power to authorize the construction of ordinary roads and canals within the limits of a state, and to say respectfully, that no bill admitting such a power could receive my official sanction. I did so, in the confident expectation, that the speedy settlement of the public mind upon the whole subject would be greatly facilitated by the difference between the two houses and myself, and that the harmonious action of the several departments of the federal government in regard to it would be ultimately secured.

“So far at least as it regards this branch of the subject, my best hopes have been realized. Nearly four years have elapsed, and several sessions of Congress have intervened, and no attempt, within my recollection, has been made to induce Congress to exercise this power. The applications for the construction of roads and canals, which were formerly multiplied upon your files, are no longer presented; and we have good reason to infer that the current of public sentiment has become so decided against the pretension as effectually to discourage its reassertion. So thinking, I derive the greatest satisfaction from the conviction, that thus much at least has been secured upon this important and embar-

assing subject. From attempts to appropriate the national funds of the states to objects which are confessedly of a local character, we cannot, I trust, have anything further to apprehend. My views in regard to the expediency of making appropriations for works which are claimed to be of a national character, and prosecuted under state authority, assuming that Congress have the right to do so, were stated in my annual message to Congress in 1830, and also in that containing my objections to the Maysville road bill. So thoroughly convinced am I that no such appropriations ought to be made by Congress, until a suitable constitutional provision is made on the subject, and so essential do I regard the point to the highest interests of our country, that I could not consider myself as discharging my duty to my constituents in giving the executive sanction to any bill containing such an appropriation. If the people of the United States desire, that the public Treasury shall be resorted to for the means to prosecute such works, they will concur in an amendment of the constitution, prescribing a rule by which the national character of the works is to be tested, and by which the greatest practicable equality of the benefits may be secured to each member of the confederacy. The effects of such a regulation would be most salutary in preventing unprofitable expenditure, in securing our legislation from the pernicious consequences of a scramble for the favours of the government, and in repressing the spirit of discontent which must inevitably arise from an unequal distribution of treasures which belong alike to all. There is no-

ther class of appropriations for what may be called, without impropriety, internal improvements, which have always been regarded as standing upon very different interests from those to which I have referred. I allude to such as have for their object the improvement of our harbours, the removal of partial and temporary obstructions in our navigable rivers, and for the facility and security of our foreign commerce. The grounds upon which I distinguished appropriations of this character from others have been stated to Congress. I will add, that at the first session of Congress under the new constitution, it was provided by law that all expenses which should accrue from and after 15th August, 1789, in the necessary support and maintenance and repair of all lighthouses, beacons, buoys, and public piers, erected placed, or sunk, before the passing of the act, within any bay, inlet, harbour, or port of the United States, for rendering the navigation thereof easy and safe, should be defrayed out of the Treasury of the United States; and further, that it should be the duty of the secretary of the Treasury to provide by contract, with the approbation of the president, for rebuilding when necessary, and keeping in good repair the lighthouses, beacons, buoys, and public piers in the several states, and for furnishing them with supplies. Appropriations for similar objects have been continued from that time to the present without interruption or dispute. As a natural consequence of the increase and extension of our foreign commerce, ports of entry and delivery have been multiplied and established, not only upon our sea-board, but

in the interior of the country, upon our lakes and navigable rivers. The convenience and safety of this commerce have led to the gradual extension of these expenditures to the erection of lighthouses, the placing, planting, and sinking of buoys, beacons, and piers, and to the removal of partial and temporary obstructions in our navigable rivers, and in the harbours upon our great lakes, as well as on the sea-board. Although I have expressed to Congress my apprehensions that these expenditures have sometimes been extravagant and disproportionate to the advantages to be derived from them, I have not felt it to be my duty to refuse my assent to bills containing them, and have contented myself to follow in this respect in the footsteps of all my predecessors. Sensible, however, from experience and observation, of the great abuses to which the unrestricted exercise of this authority by Congress was exposed, I have prescribed a limitation for the government of my own conduct, by which expenditures of this character are confined to places below the ports of entry and delivery established by law. I am very sensible that this restriction is not so satisfactory as could be desired, and that much embarrassment may be caused to the executive department in its execution by appropriations for remote and not well understood objects. But as neither my own reflections nor the lights which I may properly derive from other sources have supplied me with a better, I shall continue to apply my best exertions to a faithful application of the rule upon which it is founded. I sincerely regret that I could not give my assent to a bill entitled

“An act to improve the navigation of the Wabash river;” but I could not have done so without receding from the ground which I have, upon the fullest consideration, taken upon this subject, and of which Congress has been heretofore apprised, and without throwing the subject again open to abuse, which no good citizen, entertaining my opinions, could desire. I rely upon the intelligence and candour of my fellow-citizens, in whose liberal indulgence I have already so largely participated, for a correct appreciation of my motives in interposing, as I have done on this and other occasions, checks to a course of legislation which, without in the slightest degree calling in question the motives of others, I consider as sanctioning improper

and unconstitutional expenditures of public treasure. I am not hostile to internal improvements, and wish to see them extended to every part of the country; but I am fully persuaded, if they are not commenced in a proper manner, confined to proper objects, and conducted under an authority generally conceded to be rightful, that a successful prosecution of them cannot be reasonably expected. The attempt will meet with resistance where it might otherwise receive support, and instead of strengthening the bonds of our confederacy, it will only multiply and aggravate the cause of disunion.

“ANDREW JACKSON.

Dec. 1, 1834.”

HISTORY AND BIOGRAPHY.

MEMOIR of SAMUEL TAYLOR COLERIDGE, Esq.

MR. COLERIDGE was the youngest son of the Rev. John Coleridge, vicar of St. Mary Ottery, Devonshire, and Ann his wife, and was born in that parish, where he was baptized, 30th December, 1772. His father died in the month of October, 1781, leaving his widow with a family of eleven children. A presentation to Christ's Hospital, London, was procured for the future poet from John Way, Esq., one of the governors; and the boy was admitted to that excellent school on the 18th of July, 1782. He has himself, in his "*Biographia Literaria*," published in the year 1817, left us some records of his early and most important days.

"At school I enjoyed the inestimable advantage of a very sensible, though at the same time a very severe, master (the rev. James Bowyer). He early moulded my taste to the preference of Demosthenes to Cicero, of Homer and Theocritus to Virgil, and again of Virgil to Ovid. He habituated me to compare Lucretius, Terence, and, above all, the chaster poems of Catullus, not only with the

Roman poets of the (so called) silver and brazen ages, but with even those of the Augustan era; and, on grounds of plain sense and universal logic, to see and assert the superiority of the former in the truth and nativeness, both of their thoughts and diction. At the same time, that we were studying the Greek tragic poets, he made us read Shakspeare and Milton as lessons, and they were the lessons, too, which required most time and trouble to *bring up*, so as to escape his censure. I learned from him that poetry, even that of the loftiest and seemingly that of the wildest odes, had a logic of its own, as severe as that of science, and more difficult, because more subtle, more complex, and dependent on more, and more fugitive, causes.

"I had just entered my seventeenth year when the sonnets of Mr. Bowles, twenty in number, and just then published in a quarto pamphlet, were first made known and presented to me by a school-fellow who had quitted us for the University, and who, during the whole time that he was in our first form, (or, in our school language, *a Grecian*) had been my patron and

protector,—I refer to Dr. Middleton, the truly learned and every way excellent bishop of Calcutta. It was a double pleasure to me, and still remains a tender recollection, that I should have received from so revered a friend the first knowledge of a poet, by whose works, year after year, I was so enthusiastically delighted and inspired. As my school finances did not permit me to purchase copies, I made, within less than a year and a half, more than forty transcriptions, as the best presents I could offer to those who had in any way won my regard. And with almost equal delight did I receive the three or four following publications of the same author,”

On the 7th of September, 1791, Mr. Coleridge was sent from Christ's Hospital, with one of the exhibitions belonging to that foundation, to Jesus College, Cambridge. The only university honour, for which his indolence and indifference allowed him to become a candidate, was sir William Browne's medal for the best Greek ode; and even this, we are told, he gained only by the compulsion of his friends, who made him a prisoner in a room containing nothing but pen, ink, and paper, till he had written it.

He remained at Cambridge till October term, 1794, when he quitted the University without cause assigned, and without taking a degree. The master and fellows of the College, consequently, made an order that his name should be removed from the College boards, unless he returned before the 14th of June, 1795; and the committee of Christ's Hospital, considering that their exhibitions are voted by the general court under a restriction that, if the students absent

themselves from college without permission, their allowance is to cease, and having further considered that the general example of a scholar of such distinguished abilities might be highly detrimental to the youth of the house, resolved that his exhibitions, which had been paid to the 5th of April, 1795, should be from that time withheld.

It was in the long vacation of the year 1792, that he became acquainted with Mr. Southey, then a student of Baliol College, Oxford. The two young poets, both dazzled with the specious opening of the French revolution, commenced an enthusiastic friendship; and struck out a scheme for settling themselves in the wilds of America, and for there “establishing a genuine system of property,” which they entitled *pantisocracy*. It was with the view of realizing it, that Mr. Southey, in the year 1795, married a young lady of Bristol, of the name of Fricker, to whom he had been long attached, and that about the same time Mr. Coleridge and Mr. Robert Lovell, were respectively united to her two sisters. This project of emigration and *pantisocracy*, however, was never carried into execution. Mr. Southey, on the very day after his secret marriage, obeyed his mother's uncle, by accompanying him to Lisbon for six months; and on his return quietly settled in Gray's Inn as a law-student. Mr. Coleridge remained with his wife at or near Bristol.

In the previous winter of 1794-5, he had delivered there a course of lectures on the French revolution; having even before that published, in conjunction with Mr. Southey, a hasty drama, called “*The Fall of Robespierre*,” In the

year 1795, appeared the "*Conciones ad Populum, or Addresses to the People*;" and in the year 1796 ten numbers of a weekly paper called "*The Watchman*."

It was at Nether Stowey, at the foot of the Quantock Hills, in Somersetshire, in the summer and autumn of the year 1797, that Mr. Coleridge wrote, at the desire of Mr. Sheridan, the tragedy of "*Remorse*," which, through his neglect, was not brought upon the stage of Drury Lane, till the year 1813, when the theatre was under the direction of Mr. Whitbread. During his residence at Stowey, he was in the habit of preaching every Sunday at the Unitarian chapel at Taunton, and was greatly respected by even the better class of his neighbours and hearers. Here, in June, 1797, his friends, Charles Lamb and his sister, visited him, and gave occasion to the sweet verses entitled "*This Lime-tree Bow'r my Prison*;" and it was during his residence here that the late Mr. William Hazlitt became acquainted with him. That flashy writer has thus vividly recorded their first acquaintance in the "*Liberal*:"—

"My father was a Dissenting minister at Wem, in Shropshire, and in the year 1798, Mr. Coleridge came to Shrewsbury to succeed Mr. Rowe in the spiritual charge of a Unitarian congregation there. He did not come till late on the Saturday afternoon before he was to preach, and Mr. Rowe, who himself went down to the coach in a state of anxiety and expectation, to look for the arrival of his successor, could find no one at all answering the description, but a round-faced man in a short black coat (like a shooting-jacket,) which

hardly seemed to have been made for him, but who seemed to be talking at a great rate to his fellow-passengers. Mr. Rowe had scarcely returned to give an account of his disappointment, when the round-faced man in black entered, and dissipated all doubts on the subject, by beginning to talk. He did not cease while he stayed; nor has he since, that I know of.

"My father lived ten miles from Shrewsbury, and was in the habit of exchanging visits with Mr. Rowe, and with Mr. Jenkins of Whitchurch (nine miles farther on), according to the custom of Dissenting ministers in each other's neighbourhood. Coleridge had agreed to come once to see my father, according to the courtesy of the country, as Mr. Rowe's probable successor; but in the mean time I had gone to hear him preach the Sunday after his arrival. A poet and a philosopher getting up into a Unitarian pulpit to preach the gospel, was a romance in these degenerate days—a sort of revival of the primitive spirit of Christianity, which was not to be resisted. "It was in January, 1798, that I rose one morning before daylight, to walk ten miles in the mud, to hear this celebrated person preach. Never, the longest day I have to live, shall I have such another walk as this cold, raw, comfortless one, in the winter of the year 1798. When I got there, the organ was playing the 100th psalm; and when it was done, Mr. Coleridge rose and gave out his text—'*And he went up into the mountain to pray, himself, alone.*' As he gave out this text, his voice '*rose like a stream of rich distilled perfumes*;' and when he came to the two last words, which he pro-

nounced loud, deep, and distinct, it seemed to me, who was then young, as if the sounds had echoed from the bottom of the human heart, and as if that prayer might have floated in solemn silence through the universe. The sermon was upon peace and war—upon church and state—not their alliance, but their separation—on the spirit of the world, and the spirit of Christianity, not as the same, but as opposed to one another. He talked of those who had ‘inscribed the cross of Christ on banners dripping with human gore.’ He made a poetical and pastoral excursion,—and to show the fatal effects of war, drew a striking contrast between the simple shepherd boy, driving his team afield, or sitting under the hawthorn, piping to his flock, ‘as though he should never be old,’ and the same poor country lad, crimped, kidnapped, brought into town, made drunk at an ale-house, turned into a wretched drummer-boy, with his hair sticking on end with powder and pomatum, a long cue at his back, and tricked out in the loathsome finery of the profession of blood; and, for myself, I could not have been more delighted if I had heard the music of the spheres.

“On the Tuesday following, the half-inspired speaker came. I was called down into the room where he was, and went half-hoping, half-afraid. He received me very graciously; and I listened for a long time without uttering a word. I did not suffer in his opinion by my silence. ‘For those two hours (he was afterwards pleased to say) he was conversing with W. H.’s forehead.’ His appearance was different from what I had anticipated from seeing him

before. At a distance, and in the dim light of the chapel, there was to me a strange wildness in his aspect, a dusky obscurity, and I thought him pitted with the small-pox. His complexion was at that time clear, and even bright. His forehead was broad and high, light as if built of ivory, with large projecting eyebrows, and his eyes rolling beneath them like a sea with darkened lustre. His mouth was gross, voluptuous, open, eloquent; his chin good-humoured and round; but his nose, the rudder of the face, and the index of the will, was small, feeble, nothing—like what he has done. It might seem that the genius of his face, as from a height, surveyed and projected him (with sufficient capacity and huge aspiration) into the world unknown of thought and imagination, with nothing to support or guide his veering purpose, as if Columbus had launched his adventurous course for the New World in a scallop, without oars or compass. Coleridge in his person was rather above the common size, inclining to the corpulent, or, like the lord Hamlet, ‘somewhat fat and puffy.’ His hair was then black and glossy as the raven’s, and fell in smooth masses over his forehead.”

Mr. Coleridge, in the years 1796 and 1797, published his first poetical volume, in conjunction with a few poems by his friends, Charles Lamb and Charles Lloyd, just as Mr. Southey had previously published his earliest poetical effusions bound up with those of his friend Mr. Lovell. In 1796, was published separately the “Ode on the Departing Year,” and in 1798, the “Fears in Solitude,” “France, an Ode,” and

"Frost at Midnight." In the year 1798, also appeared the first edition of the celebrated "Lyrical Ballads," of Mr. Wordsworth and Mr. Coleridge.

In the autumn of the year 1798, Mr. Coleridge, to whom his friends, Messrs. Josiah and Thomas Wedgwood, of Etruria, in Staffordshire, had generously granted an annuity of 100*l.*, commenced his travels in Germany, accompanied by Mr. Wordsworth. Of these travels the only records are contained in a few letters in "The Friends," (repeated in the "Biographia Literaria"); but the fruits of his German studies of men and books, are apparent in every after-production of his mind and pen.

On his return from Germany, in the year 1800, Mr. Coleridge went to reside at Keswick, where Mr. Southey had, after filling for some time the situation of secretary to Mr. Corry, the Irish Chancellor of the Exchequer, finally settled. Mr. Wordsworth was then living at Grasmere; and here Coleridge's religious tenets, to use his own expression, found a final re-conversion to the whole truth in Christ. He tells us, indeed, that even before this, while meditating, his heart had long been with the blessed Paul, and the beloved John, though his head was with Spinoza. He now became convinced, both head and heart, of the doctrine of St. Paul, and a firm believer in the divine trinity in unity. "Soon after my return from Germany," says he, "I was solicited to undertake the literary and political department of 'The Morning Post;' and I acceded to the proposal on condition that the paper should thenceforward be conducted on certain fixed and announced principles, and that I should be neither obliged nor re-

quested to deviate from them in favour of any party or in any event. In consequence, that journal became, and for many years continued, anti-ministerial, indeed, yet with a very qualified approbation of the opposition, and with greater earnestness and zeal both anti-jacobin and anti-gallican. From the commencement of the Addington administration, to the present day, whatever I have written in 'The Morning Post,' or, after that paper was transferred to other proprietors, in 'The Courier,' has been in defence or furtherance of the measures of government.

"Things of this nature scarce survive
the night
That gives them birth: they perish in
the light,
Cast by so far from after-life, that there
Can scarcely ought be said but that they
were."

CARTWRIGHT.

"Yet in these labours I employed, and, in the belief of partial friends, wasted, the prime and manhood of my intellect. Most assuredly, they added nothing to my fortune or my reputation. From government, or the friends of government, I not only never received remuneration, or ever expected it, but I was never honoured with a single acknowledgment or expression of satisfaction. Yet the retrospect is far from painful, or matter of regret. I am not, indeed, silly enough to take as any thing more than a violent hyperbole of party debate Mr. Fox's assertion, that 'the late war was a war produced by "The Morning Post,"' or I should be proud to have the words inscribed upon my tomb. As little do I regard the circumstance that I was a specified object of Buonaparte's resentment, during my residence in Italy, in consequence of those essays in

‘The Morning Post,’ during the peace of Amiens. Nor do I lay any greater weight on the confirming fact, that an order for my arrest was sent from Paris, from which danger I was rescued by the kindness of a noble Benedictine, and the gracious contrivance of that good old man, the pope; for the late tyrant’s vindictive appetite was omnivorous, and preyed equally on a duc d’Enghien and the writer of a newspaper. But I do derive a gratification from the knowledge that my essays contributed to introduce the practice of placing the questions and events of the day in a moral point of view; in giving a dignity to particular measures, by tracing their policy or impolicy to permanent principles, and an interest to principles by the application of them to individual measures.”

In the year 1800, was published Mr. Coleridge’s translation of Schiller’s “Wallenstein.” “Many beautiful passages of this translation,” says a writer in a late Quarterly Review, “are exclusively the property of the English poet, who used a MS. copy of the German text, before its publication by the author; and it is a curious anecdote in literature, that Schiller, in more instances than one, afterwards adopted the hints, and translated in turn the interpolations, of his own translator. Hence it is, also, that there are passages in the German editions of the present day, which are not found in the English version: they were, in almost every case, the subsequent additions of the German poet.”

In the year 1804, Mr. Coleridge made a voyage to Malta, on a visit to his friend, Dr. Stoddart, then king’s advocate there. Sir Alexander Ball was the governor of

that island, and was so greatly pleased with his genius and conversation, that, during an occasional absence of the secretary to the Government, he appointed Mr. Coleridge to act in that office. We need not say that his talents lay in any other direction than that of office business: but he flattered himself that his mind could bend to the yoke; and the salary was 800*l.* per annum. Notwithstanding the eulogium which Mr. Coleridge has written upon Sir Alexander in “The Friend,” there was little congeniality of mind between the governor and his secretary. They did not agree, and the employment lasted in name and salary for about nine months only. Mr. Coleridge remained in Malta from May, 1804, to October, 1805: in his way home he passed through Calabria and Italy.

In the years 1809-10, he issued from Grasmere a weekly essay, stamped to be sent by the general post, called “The Friend.” This paper lasted for twenty-seven numbers, and was then abruptly discontinued; but the papers have since been collected and enlarged in three small volumes.

In the year 1812, Mr. Coleridge, being in London, edited, and contributed several very interesting articles to, Mr. Southey’s “*Omniiana*,” in two small volumes. In 1813, the tragedy of “*The Remorse*,” was acted and printed. It was not a good acting play, and had no great run.

In the year 1816, Mr. Coleridge published “*The Statesman’s Manual*; or, the Bible the best guide to political Skill and Fortnight; a Lay Sermon;” and in the following year “*A Second Lay Sermon*, addressed to the Higher and Middle Classes, on the existing Distresses

and Discontents." In this year, also, appeared the biographical sketches of his literary life and opinions, and his newspaper poems recollected under the title of "Sibylline Leaves."

About this time he wrote the prospectus of "The Encyclopædia Metropolitana," still in the course of publication, and was intended to be its editor; but his unfitness for such an office of detail was early discovered and rectified.

In the year 1816, was published by Mr. Murray, the ballad tale of "Christabel." The author tells us in his preface, that the first part of it was written in his great poetic year, 1797, at Stowey; the second part after his return from Germany, in 1800 at Keswick.

In 1818, was published the drama of "Zapolya:" in 1825, "Aids to Reflection, in the Formation of a manly Character, on the several Grounds of Prudence, Morality, and Religion; illustrated by select Passages from our elder Divines, especially from Archbishop Leighton:" and in 1830, a small volume "On the Constitution of the Church and State, according to the Idea of each, with Aids toward a right Judgment on the late Catholic Bill."

In the year 1828, the whole of his poetical works, including the dramas of Wallenstein (which had been long out of print), Remorse, and Zapolya, were collected in three elegant volumes by Mr. Pickering, the British classical publisher; who, during the very year of the poet's death, reprinted them with additions.

The latter years of Mr. Coleridge's life were made easy by a domestication with his friend, Mr. Gillman, the surgeon of Highgate

Grove, and for some years the poet received an annuity from his majesty of 100*l.* per annum, as an academican of the Royal Society of Literature. But this, with other pensions, to veterans in literature, was discontinued by Lord Grey's ministry. Mr. Coleridge contributed one or two erudite papers to the transactions of this society. In the summer of 1828, Mr. Coleridge made a tour of Holland, Flanders, and up the Rhine as far as Bergen. For some years before his death, he was afflicted with great bodily pain; and was on one occasion heard to say, that for thirteen months he had from this cause walked up and down his chamber seventeen hours each day. He died on the 25th of July, 1834. He left three children—namely, Hartley, Derwent, and Sara. The first has published a volume of poems. The second son is in holy orders, and is married and settled in the west of England; and the poet's daughter is united to her cousin, Mr. Henry Nelson Coleridge, the author of "Six Months in the West Indies."

Mr. Coleridge's will was as follows.

"Highgate, Sept. 17, 1829.

"This is the last will of me, Samuel Taylor Coleridge. I hereby give and bequeath to Joseph Henry Green, of Lincoln's Inn Fields, surgeon, all my books, manuscripts, and personal estates and effects whatsoever (except the pictures and engravings hereinafter bequeathed), upon trust, to sell and dispose of all such part thereof as shall not consist of money, according to his discretion, and to invest the produce thereof, and also all money which I may leave at my death, and that shall be due to me from the Equitable Assurance Of-

face, or elsewhere, in the public funds, in the name of the said Joseph Henry Green; and he shall pay the dividends of the stock to be purchased therewith to my wife, Sarah Coleridge, during her life, and after her death pay the same dividends to my daughter, Sara Coleridge, she being unmarried, and as long as she shall remain single. But if my daughter, Sara Coleridge, shall before or at the time of my death have married, (unless, indeed, she, which may the Almighty in his mercy fore-see, should be left a widow, wholly unprovided for by her husband's will and property, or otherwise; in which case the former disposition of this testament is to revive and take place,) I then give the dividends of the stock purchased to be equally divided between my three children—Hartley Coleridge, the rev. Derwent Coleridge, and the aforesaid Sara Coleridge; or, if one of these, my three children, should die, then to be equally divided between the two survivors, and the whole dividend of the stock to be paid to the last survivor. Still it is, however, my will that each of the three, namely, Hartley and Derwent, and my daughter, Sara, should retain the right and power each of bequeathing the third part of the principal, after the death of the last survivor, according to his or her pleasure. And my will is that, notwithstanding any thing herein and before contained, and it is my desire, that my friend, Mr. Joseph Henry Green, shall, in lieu of selling my books, have the option of purchasing the same at such price as he shall himself determine, inasmuch as their chief value will be dependent on his possession of them. Nevertheless, it is my will

that, in case the said Joseph Henry Green should think it expedient to publish any of the notes or writings made by me in the same books, or any of them, or to publish any other manuscripts or writings of mine, or any other letters of mine, which shall be hereafter collected from, or supplied by friends and correspondents, then my will is that the proceeds, and all benefits accruing therefrom, shall be subject to the same trusts, and to be paid to or amongst such persons as shall be entitled to my said personal estate, hereinafter bequeathed.

"The pictures and engravings belonging to me, in the house of my dear friends, James and Ann Gillman, (my more than friends, the guardians of my health, happiness, and interests, during the fourteen years of my life that I have enjoyed the proofs of their constant, zealous, and disinterested affection, as an inmate and member of their family) I give and bequeath to Ann Gillman, the wife of my dear friend, my love for whom, and my sense of her unremitting goodness, and never-weary kindness to me, I hope and humbly trust will follow me as a part of my abiding being in that state into which I hope to rise, through the merits and mediation and by the efficacious power of the Son of God incarnate, in the blessed Jesus, whom I believe in my heart, and confess with my mouth, to have been from everlasting the way and the truth, and to have become man, that for fallen and sinful men he might be the resurrection and the life." And, further, I hereby tell my children, Hartley, Derwent, and Sara, that I have but little to leave them, but I hope, and indeed confidently be-

lieve, that they will regard it as a part of their inheritance, when I thus bequeath to them my affection and gratitude to Mr. and Mrs. Gillman and to the dear friend, the companion, partner, and help-mate of my worthiest studies, Mr. Joseph Henry Green. Further to Mr. Gillman, as the most expressive way in which I can only mark my relation to him, and in remembrance of a great and good man, revered by us both, I leave the manuscript volume lettered *Arist. Manuscript—Birds, Acharnians, Knights*, presented to me by my friend and patron, the right honourable John Hookman Frere, who of all the men that I have had the means of knowing during my life appears to me eminently to deserve to be characterised as ὁ καλὸς καὶ ἀγαθὸς φιλόκαλος.

“To Mr. Frere himself I can only bequeath my assurance, grounded on a faith equally precious to him as to me, of a continuance of those prayers which I have for many years offered for his temporal and spiritual well-being. And further, in remembrance that it was under his (Mr. Gillman’s) roof I enjoyed so many hours of delightful and profitable communion with Mr. J. H. Frere, it is my wish that this volume should, after the demise of James Gillman, senior, belong, and I do hereby bequeath the same to James Gillman, junior, in the hope that it will remain as an heir-loom in the Gillman family.

“On revising this my will, there seemed at first some reason to apprehend that in the disposition of my books, as above determined, I might have imposed on my executor a too delicate office. But, on the other hand, the motive, from the peculiar character of the books,

is so evident, and the reverential sense which all my children entertain of Mr. Green’s character, both as the personal friend of their father, and as the man most intimate with their father’s intellectual labours, purposes, and aspirations, I believe to be such as will, I trust, be sufficient to preclude any delicacy that might result from the said disposition.

“To my daughter Sara Coleridge, exemplary in all the relations of life in which she hath been placed, a blessing to both her parents, and to her mother the rich reward which the anxious fulfilment of her maternal duties had, humanly speaking, merited, I bequeath the presentation copy of the ‘*Georgica Heptaglotta*,’ given me by my highly-respected friend, William Sotheby, Esquire. And it is my wish that Sara should never part with this volume; but that if she should marry and have a daughter, it may descend to her, or if daughters to her eldest daughter, as a memento that her mother’s accomplishments, and her unusual attainments in ancient and modern languages, were not so much or so justly the object of admiration, as their co-existence with piety, simplicity, and a characteristic meekness; in short, with mind, manners, and character so perfectly feminine. And for this purpose I have recorded this my wish, in the same equivalent words, on the first title-page of this splendid work.

“To my daughter-in-law, Mary Coleridge, the wife of the Rev. Derwent Coleridge, whom I bless God that I have been permitted to see, and to have so seen as to esteem and love on my own judgment, and to be grateful for her on my own account as well as on behalf of my dear son, I give the inter-

leaved copy of 'The Friend,' corrected by myself, and with sundry notes and additions in my own handwriting, in trust for my grandson, Derwent Coleridge, that if it should please God to preserve his life, he may possess some memento of the paternal grandfather, who blesses him unseen, and fervently commends him to the great Father in heaven, 'whose face his angels evermore behold.'—Matt. xviii. 10.

"And further, as a relief of my own feelings by the opportunity of mentioning their names, I request of my executor, that a small plain gold mourning ring, with my hair, may be presented to the following persons; namely,—1. To my oldest friend and ever-beloved schoolfellow, Charles Lamb; and in the deep and almost life-long affection of which this is the slender record, his equally beloved sister, Mary Lamb, will know herself to be included. 2. To my old and very kind friend, Basil Montague, esq. 3. To Thomas Pool, esq. of Nether Stowey. The dedicatory poem to my 'Juvenile Poems,' and my 'Tears in Solitude,' render it unnecessary to say more than that what I then, in my early manhood, thought and felt, I now, a grey-headed man, still think and feel. 4. To Mr. Josiah Wade, whose zealous friendship and important services during my residences at Bristol I never have forgotten, or, while reason and memory remain, can forget. 5. To my filial friend, dear to me by a double bond in his father's right, and in his own, Launcelot Wade. 6. to Miss Sarah Hutchinson.

"To Robert Southey and to William Wordsworth my children have a debt of gratitude and reverential affection on their own account; and the sentiments I have

left on record in my 'Literary Life,' and in my poems, and which are the convictions of the present moment, supersede the necessity of any other memorial of my regard and respect.

"There is one thing yet on my heart to say, as far as it may consist with entire submission to the Divine will, namely that I have too little proposed to myself any temporal interests, either of fortune or literary reputation, and that the sole regret I now feel at the scantiness of my means arises out of my inability to make such present provision for my dear Hartley, my first-born, as might set his feelings at ease and his mind at liberty from the depressing anxieties of to-day, and exempt him from the necessity of diverting the talents, with which it has pleased God to intrust him, to subjects of temporary interests, knowing that it is with him, as it ever has been with myself, that his powers, and the ability and disposition to exert them, are greatest when the motives from without are least, or of least urgency. But with earnest prayer, and through faith in Jesus the Mediator, I commit him, with his dear brother and sister, to the care and providence of the Father in heaven, and affectionately leave this my last injunction,—My dear children, *love one another.*'

"Lastly, with awe and thankfulness, I acknowledge, that from God, who has graciously endowed me, a creature of the dust, with the distinction, with the glorious capability of knowing him the Eternal, as the Author of my being, and of desiring and seeking Him, as its ultimate end, I have received all good, and good alone—yea, the evil from my own corrupt yet responsible will He

hath converted into mercies, sanctifying them as instruments of fatherly chastisement for instruction, prevention, and restraint. Praise in the highest, and thanksgiving and adoring love, to the 'I AM,' with the co-eternal Word, and the Spirit proceeding, one God from everlasting to everlasting; His staff and His rod alike comfort me.

The original revised, interlined, and corrected by his own hand.
Signed by himself, and witnessed by Ann Gillman and Henry Langley Porter.

"Grove Highgate, July 2, 1830.

"This is a codicil to my last will and testament.

"S. T. COLERIDGE.

"Most desirous to secure, as far as in me lies, for my dear son, Hartley Coleridge, the tranquillity indispensable to any continued and successful exertion of his literary talents, and which, from the like characters of our minds in this respect, I know to be especially requisite for his happiness, and persuaded that he will recognise in this provision that anxious affection by which it is dictated, I affix this codicil to my last will and testament.

"And I hereby give and bequeath to Joseph Henry Green, esquire, to Henry Nelson Coleridge Esquire, and to James Gillman, Esquire, and the survivor of them, and the executor and assigns

of such survivor, the sum, whatever it may be, which in the will aforesaid I bequeathed to my son, Hartley Coleridge, after the decease of his mother, Sarah Coleridge, upon trust. And I hereby request them, the said Joseph Henry Green, Henry Nelson Coleridge, and James Gillman, esquires, to hold the sum accruing to Hartley Coleridge, from the equal division of my total bequest between him, his brother Derwent, and his sister, Sara Coleridge, after their mother's decease, to dispose of the interest or proceeds of the same portion to or for the use of my dear son, Hartley Coleridge, at such time or times, in such manner, and under such conditions, as they, the trustees above named, know to be my wish, and shall deem conducive to the attainment of my object in adding this codicil; namely, the anxious wish to insure for my son the continued means of a home, in which I comprise board, lodging, and raiment; providing that nothing in this codicil shall be so interpreted as to interfere with my son Hartley Coleridge's freedom of choice respecting his place of residence, or with his power of disposing of his portion by will after his decease, according as his own judgment and affections may decide.

"S. T. COLERIDGE.

"2nd July, 1830.

"Witnesses,—Ann Gillman,

"James Gillman, jun."

CHARACTERS OF LORD ROSSLYN, LORD MANSFIELD, LORD KENYON, LORD ELLENBOROUGH, JUDGE LAWRENCE, LORD ERSKINE, SPENCER PERCEVAL, LORD ALVANLEY.

[By Sir Egerton Brydges.]

LORD ROSSLYN was a subtle and convinced no one. As he was reasoner; but he had no strength, not loud, but flexible and insinuating, his very manner raised

suspicion. Lord Mansfield had something of the same sort, but he was more eloquent, and had a higher taste. He had lived with poets and great men from his youth, and could exhibit Truth dressed in her native beauty; but he could also set off the *faux déesse* in attractive colours when it answered his purpose to do so. Andrew Stuart's "Letters" to him on the Douglas cause made a great impression, and will never be forgotten.

Lord Kenyon's manner was entirely technical: he had no eloquence nor command of language; but he was supposed to have a deep skill in the law, and, having natural acuteness and sagacity, to apply it in most cases accurately. But his temper was quick and irritable, and never having had a liberal education nor lived in the world, his notions and sentiments were narrow and bigoted; he could not generalise; and these defects gave him a want of dignity, which much detracted from the influence and weight of his decisions.

Lord Ellenborough was brought up at Peter-house, Cambridge, of which his father, the Bishop of Carlisle, was master. He was considered rather industrious, but scarcely above par in talents, yet then displayed the same violent and overbearing temper as he did through life. He allowed no peace to those over whom his surly and sarcastic spirit got the ascendant—witness poor Capel Loft, his fellow-collegian. He was very unlike his younger brother, George, now Bishop of Bath and Wells, who was a milder man, and had better talents, and took a much higher degree many years afterwards, I think in 1781. We were a short time at college together, but I saw

little of him, as he was at that time immersed in his studies to prepare for his degree, and therefore associated with scarcely any one. It was long before Edward made any way at the bar, till being connected with the East Indians by the marriage of his sister with Sir Thomas Rumbold, he was employed as one of the counsel on Hastings' trial. From that time he got on a little, but was never considered as a leader till, on the sudden dissolution of Pitt's ministry in 1801, when Addington had a difficulty in making up his patched administration, Law, much to every one's surprise, was named attorney-general. He was then fifty years old. It was supposed that with a party formed of such feeble and discordant ingredients, a bold man was wanted in that post, and that Law's sarcastic temper would be of use to them. He had been there scarcely a year when Kenyon's death opened to him the high office of chief-justice of King's Bench and a peerage. Naturally inclined to exercise the ascendancy of his humour, that sudden tide of fortune puffed him into the sky. He was impatient, hasty, vituperative, and by necessary consequence sometimes incorrect in his authorities, arguments, conclusions, and opinions. As long as Judge Lawrence, who was known to be a better lawyer, as well as of better abilities and of greater mildness of temper and disposition, remained on the Bench, he was in some degree under his control. There is some advantage to the public, though not to the suitors, in such a mind and temper as Lord Ellenborough's; it makes dispatch of business, for what it cannot untie it cuts or tears asunder.

Lord Erskine was a perfect contrast to all these. He was a most brilliant, but sometimes a shooting, star. He had every variety of intellect, and was adorned with all beauty of language, all harmony of utterance, and all fire and grace of expression in his countenance and form. As he was of the highest Scottish nobility and blood, so he showed it in all his mien, tone, and manners. The very conflicting brilliance of his numerous superiorities led him into unsteadiness, and often into errors. He sometimes passed too hastily over subjects to have entered deep into them, and thus incurred the charge of superficial talents, when no man was more capable of entering profoundly into an investigation, or had a more sagacious and correct judgment when he chose to give his mind to it; but the meteors that danced before him often led him on too rapidly and too irregularly. He was apt to grasp at too much, and not unfrequently found that he embraced clouds which vanished in his arms. His imagination often led him into wider fields than a court of law relishes or comprehends; and the airy notions and profusion of colours which he interposed occasionally, became fatiguing and oppressive to the technical dulness of professional men. They were considered by them to be lights that led astray, but still, "they were lights from heaven." He abounded in beautiful reflection and sentiment; but some may have supposed these to have been supplied rather by memory than from original internal sources. I do not admit this: the application of them was so happy, that they could not have so fitted if they had not been original. The ingredients may have been new

combined in large portions; not so original, for instance, in all their particles as those of Burke, of whom not only the whole, but every separate part is commonly new. Erskine's rapidity and lightness of wing made him oftener take the first hasty view of his own mind, than search in books for technical knowledge and arbitrary authority. His arguments, therefore, are commonly addressed rather to the general condition of men's understandings than to professional auditors. All these distinctions may be exemplified and illustrated by a comparison of his speeches with those of the other law lords in the Banbury case, as reported by Le Marchant. Erskine, by his constant practice in the courts of common law, was not qualified to shine as lord chancellor. The fall of his party soon removed him from the woolsack; and then his faculties seemed to be worn out, and that brilliant constellation of mind threw out nothing but casual, erratic, and flighty sparks. We are bound to remember the splendour of the noon-day sun, and not reproach the evening if it sets in clouds.

Perceval had the most extraordinary rise. From no practice at all, he was, at the age of thirty-nine, appointed by Addington solicitor-general; the next year he succeeded Law as attorney-general; and then, on the dismissal of the Talents, was made the Duke of Portland's chancellor of the exchequer, on whose death he became premier; and, what is singular, had no adequate capacity for any one of these situations. He had no oratory, but a barking, snappish manner; a little person, and an inharmonious

he had quickness, but it appeared to me principally the quickness of temper: his turn was sarcasm and biting cavil, which certainly had the effect of keeping people in subjection. He was an inveterate Tory, and thought all nobility was monopolized by the house of Perceval.

I must not leave Pepper Arden, Lord Alvanley, out of the ground; for his ugly, broken-nosed face and goggle eyes often made me laugh; and I once was near having the misfortune of swamping him—most unintentionally. It was at Bath, in the early part of the year 1797, when he was Sir Pepper Arden, knight, and master of the rolls into the bargain. I then commanded a troop of fencible cavalry; and our colonel, being very justly proud of his regiment, and anxious to show it off in all his manœuvres, begged his friend, the learned knight, to come and review them on one of the Downs near the city, no doubt because he thought him as good a judge of a regiment and its movements as he was of all the intricacies of a question at law; and his honour being a very good-natured man, not at all like Sir Edward Law, then only king's counsel, obeyed the summons. The little man, though I observed him something timorous and fidgetty, was placed in front of the battle, and desired to inspect us with the severest scrutiny, for our colonel was sure that he would find nothing but to praise. At length came the charge; the colonel assured him that he might keep his station, for he was as safe as on his seat in the Rolls Court, and that at the word

“Halt!” the whole six troops in a line would stop dead, however loudly and fiercely they should come rattling on towards him. Unluckily the whole were fired with glory, and began to increase their speed, till, being on a blood charger of considerable swiftness, my horse could not bear the clatter behind him, and off he shot beyond my momentary control. His honour was right before me: he gave a shriek and a groan; I saw his distress, and by one mighty effort brought up my horse, and had the happiness thus to save the life of this eloquent oracle of the law, over whom I must otherwise have gone sword in hand; and what a crush and manglement would then have ensued! The colonel made many apologies, and I got a severe rating. But, lo! what his honour lived for—to vote, six years afterwards, against the Chandos claim; of the merits of which, as he had but lately been elevated to the upper house, he knew nothing. Lord Alvanley had a confused, babbling manner of talking, which made it wonderful how he had ever attained to high offices in the law; nor had he more credit for knowledge in his profession than for oratory. Pitt had promoted him to the attorney-generalship, among the many strange choices of the patronage which he conferred; and he became the subject of one of the most ludicrous odes in the “Rolliad.” They who knew him better than I did considered him of an easy temper, and not meaning ill, though of a blundering understanding.

PATENTS.

Davis Robinson, of Wellington Foundry, Charles-street, City-road, for certain improvements in steam-carriages.

George Frederick Muntz, of Birmingham, for an improved manufacture of boilers used for generating steam.

Charles Joseph Hullmandel, of Great Marlborough-street, printer, for a certain improvement in the art of block-printing, as applied to calico, &c.

Hugh Lee Pattinson, of Summer-hill-terrace, Northumberland, for an improved method of separating silver from lead.

Jacob Frederick Zeitter, of New Cavendish-street, piano-forte maker, for certain improvements in piano-fortes and other stringed musical instruments.

John Travis the younger, of Shaw Mills, near Manchester, for certain improvements in machinery for spinning wool, flax, cotton, or other fibrous materials.

William Brunton, of Charlotte-row, Mansion-house, in the city of London, engineer, for an apparatus to facilitate and improve the excavation of ground, and the formation of embankments.

Dominick Stafford, of Duke-street, Adelphi, for an improvement in fuel. Communicated by a foreigner.

Joseph Wass, of Lea, Derbyshire, millwright and engineer, for certain mechanical powers, which may be made applicable to various useful purposes.

Richard Holme, of Kingston-upon-Hull, for improvements in apparatus and means of generating steam, and in other parts of steam-engines, and also in the means of producing heat.

Henry Robinson Palmer, of Fludyer-street, Westminster, civil engineer, for improvements in the construction of arches, roofs, and other parts of buildings; which may also be applied to other useful purposes.

Peter Ewart, of Manchester, for improvements in the spinning-machine called the mule.

John Page, of Bury St. Edmunds, Suffolk, watch maker, for certain improvements in horological machines.

Robert William Brandling, of Low

Gosforth, Northumberland, esq., for improvements in applying steam and other power to ships, boats, &c.

John Cooper Douglas, of Great Ormond-street, esq., for certain improvements in the construction of furnaces for generating heat; and also in the construction of apparatus or vessels for applying heat to various purposes.

The same, for certain improvements which prevent either the explosion or the collapse of steam and other boilers from an excess of internal or external pressure.

Marcel Roman, of St. Michael's Alley, Cornhill, for certain improvements in apparatus or methods employed in throwing or winding silk or other threads.

Barthelemy Richard Comte de Pre-daval, of Leicester-place, Leicester-square, engineer, for an engine for producing motive power applicable to various purposes.

Stephen Perry, of 25, Wilmington-square, Clerkenwell, **Edward Massey**, and **Paul Joseph Gauci**, for certain improvements in pens and pen-holders.

Daniel Ledsam, and **William Jones**, both of Birmingham, in the county of Warwick, screw manufacturers, for certain improvements in machinery for the manufacture of pins and needles.

John Cooper Douglas, of Great Ormond-street, for certain improvements for depriving vegetable juices and fermented and distilled liquors of their acid qualities, also of their colouring matter and essential oils.

Thomas Sharp and **Richard Roberts**, of Manchester, engineers, for certain improvements in machinery for grinding corn and other materials.

Joshua Taylor Beale, of Church-lane, Whitechapel, engineer, for his invention of a lamp, applicable to the burning of substances not hitherto usually burned in such vessels or apparatus.

Frederick Plant, of Bread-street Hill, fur-cutter, for his invention of an improved fur-cutting machine.

Pennock Tigar of Grove-hill, Beverley,

Yorkshire, merchant, for his invention of certain improvements in the construction and arrangement of iron or other metal wheels for carriages.

Joshua Bates, of Bishopsgate-street, merchant, for an improved method of condensing aeriform substances and refrigerating liquids.

James Walton, of Sowerby Bridge, in Yorkshire, cloth-dresser, for improvements in machinery, for facilitating the operations of raising, dressing, and cropping the pile of woollen and some other fabrics.

Charles Atwood, of Wickham, near Gateshead, in Durham, for making a certain pigment or certain pigments by a certain process or certain processes not previously used for such purposes.

James Beynton, of High Holborn, portable ink-stand manufacturer, for improvements in apparatus or means of producing light.

William Morgan, of Penton-row, Walworth, Surrey, for an apparatus for heating and ventilating churches, conservatories, houses, and other buildings.

Jean Jacques Leopold Oberlin, of Leicester-square, merchant, for improvements on boilers, applicable to various purposes.

Erust Wolff, late of Leeds, but now of Stamford-hill, for certain improved means of supplying heated air, in order to support combustion in inclosed fire-places.

William Thomas Yates, of John-street, Cambridge Heath, Middlesex, engineer, for his invention of certain improvements in boilers for steam-engines and other uses.

Benjamin Hick, of Bolton-le-Moors, Lancaster, engineer, for improvements in locomotive steam-carriages, parts of which are applicable to ordinary carriages, and to steam-engines employed for other uses.

Benjamin Debson, of Bolton-le-Moors, Lancaster, machinist, John Sutcliff and Richard Threlfall, of the same place, mechanics, for certain improvements in machinery for roving and spinning cotton and other fibrous materials.

Jacques Francois Victor Gerard, of Redmond's-row, Mile-end, Middlesex, for certain improvements in the means of finishing silks, woollen cloths, stuffs, and other substances requiring heat and pressure.

Samuel Hall, of Basford, in the county

of Nottingham, for improvements in steam-engines.

Miles Berry, of the Office of Patents, Chancery-lane, engineer, for certain improvements in machinery for shaping and forming metal into rivets, bolts, and other articles, parts of which improvements were also applicable to other useful purposes.

John Berners, of the City of London, Mecklenburgh-square, for improvements in a portable steam-engine for the purpose of moving other machinery.

Vincent Notidis, of the City of London, Blackfriars, for improvements in a portable steam-engine for the purpose of moving other machinery.

James Smith, of Epsom, Surrey, for his invention of certain improvements in machinery for spinning flax, wool, silk, and other fibrous materials.

James Duffield, of the City of London, for improvements in a portable steam-engine for the purpose of moving other machinery.

Joseph White, of the City of London, for improvements in a portable steam-engine for the purpose of moving other machinery.

Robert Black, of the City of London, for improvements in a portable steam-engine for the purpose of moving other machinery.

Thomas, of the City of London, for improvements in a portable steam-engine for the purpose of moving other machinery.

Thomas, of the City of London, for improvements in a portable steam-engine for the purpose of moving other machinery.

To William Augustus Arabius, for an improvement in the making of signals.

Henry Pinus, of the City of London, for an improvement in a portable steam-engine for the purpose of moving other machinery.

William Morgan, of the City of London, for improvements in a portable steam-engine for the purpose of moving other machinery.

John Augustus Morton, of the City of London, for certain improvements in a portable steam-engine for the purpose of moving other machinery.

John Isaac Hawkins, of the City of London, for improvements in a portable steam-engine for the purpose of moving other machinery.

James Jamieson, of the City of London, for improvements in a portable steam-engine for the purpose of moving other machinery.

machinery for improvements in machinery for making shafts and screw blanks or shafts, &c.

The same, for improvements in machinery for making shafts, being a continuation from a foreigner.

James H. Hutton, of the New-road, engineering for improvements in machinery for making shafts, &c.

The same, for improvements in machinery for making shafts, &c.

John Hutton, of Glasgow, and Thomas Jackson, of the same place, for improvements applicable to certain looms for dressing different sorts of cloth.

Henry Crane, of Wolverhampton, machinist, and John Young, of the same place, patent manufacturer, for improvements in the making or manufacturing, and forming of iron hoops of coils and other purposes.

Thomas Baker, of Upper Stamford-street, for certain improvements in the construction or mechanism of chronometers, watches, and clocks, and applicable to other mechanical purposes.

George Bather, late of the Haymarket, for a weighing machine upon a new construction.

Thomas Edmonds, of Burton-street, Hanover-square, for a certain process for the preparation of leather, whereby it becomes less pervious to water.

Joseph Morgan, of Manchester, for certain improvements in the apparatus used in the manufacture of mould candles.

Charles Louis Stanislas Baron Houzeloup, Holles-street, Cavendish-square, for improvements in fire-arms.

Andrew Smith, of Princes-street, Leicester-square, for an improved method of preparing phormium tannin, hemp, flax, and other fibrous substances.

Luke Smith, of Manchester, and John Hepwood, for certain improvements in weaving machinery.

Philip Augustus de Chapeaurouge, of Fenchurch-street, London, for a machine for producing motive power, which he denominates a self-acting motive power, and called in France, by the inventor, *valent moteur perpetuel*.

Stephen Hawkins, of Milton House, near Portsmouth, for certain improvements in warming-pans, or apparatus for warming beds and other purposes.

John George Bodmer, of Bolton-le-Moors, for certain improvements in steam-engines and boilers.

The same, for improvements in the construction of grates, stoves, and furnaces, applicable to steam engines, &c.

William Crofts, of New Radford, Notts, for certain improvements in machinery for making lace.

William Henry Hornby, of Blackheath, Lancashire, and William Kenworthy, of Blackburn, for certain improvements in power-looms for weaving of cotton, linen, woollen, and other cloths.

John Chester Lyman, of Golden-square, for certain improvements in hulling, cleansing, and polishing rice, boarding or peeling barley, and hulling and cleansing coffee.

John Bertie, of Basford, Notts, and James Gibbons, of Radford, in the same county, for an improved texture of lace-net, hitherto called bobbin-net, and also improvements in lace-machinery, to produce lace-net with the same improved texture, either plain or ornamental.

George Saint Seger Grefell, of Paris, at present residing at Cadogan-place, Sloane-street, for certain improvements in the construction of saddles.

Edward Keele, of Titchfield, in the county of Southampton, brewer, for an improved valve and apparatus for class fermenting and cleansing porter, beer, ale, wine, spirits, cider, and all other saccharine and fermentable fluids.

Thomas Ridgway Bridson, of Bolton, Lancashire, bleacher, for certain improvements in machinery or apparatus to be used in the operation of drying cotton, linen, and other similar manufactured goods.

James Whitaker, of Wardle, near Rochdale, Lancashire, for certain improvements in engines for carding wool.

Mathew Hush, of Dalmonarch Printfield, Dumbarton, calico-printer, for certain improvements in machinery for drying and printing calicoes, &c.

James Lee Hannah, of Brighton, for certain improvements in surgical instruments for reducing the stone in the bladder, and enabling the patient to pass it through the urethra.

Joseph Jones and Thomas Methodew, of Oldham, Lancashire, for certain improvements in power-looms, and in the manufacture of certain kinds of corded fusian, or fabric to be woven in diagonal cords, from cotton, wool, and other fibrous materials.

Charles Wilson, of Kates, Roxburghshire, for certain improvements applicable to the machinery used in the power

paration for spinning wool, and other fibrous substances.

William Symington, of Bromley, Middlesex, and Andrew Symington, of Falkland, in Fifeshire, for a paddle-wheel for the propulsion of vessels and other motive purposes.

Richard Simpson, of Southampton-row, Bloomsbury, for improvements in machinery for roving and slubbing cotton and wool.

Richard Walker, of Birmingham, for improved wadding for fire-arms.

Jonas Bateman, of Islington, cooper, for his invention of an apparatus, or instrument, for saving human life, or other purposes, in cases of shipwreck, or other disasters by water.

John Barton, of Providence-row, Finsbury, engineer, and Samuel and Joseph Nye, both of St. Andrew's-row, Southwark, mechanics, for improvements in the construction and application of pumps and machinery for raising fluids.

Thomas Martin Clerk, of Whitby Bush, Rudbaxton, Pembrokeshire, for certain improvements in engines or machinery for cutting or preparing slates, &c., for various useful purposes.

James Hardy, of Wednesbury, Stafford, gent., for improvements in the making or manufacturing of axletrees for carriages.

Benjamin Hick, of Bolton-le-Moors, Lancashire, engineer; Edward Evans, the elder, of Oldham, coal proprietor, and John Higgins, of ditto, engineer; for certain improvements in the construction and adaptation of metallic packings for the pistons of steam and other engines, pumps, and other purposes to which the same may be applicable.

William Higgins, of Salford, Lancashire, machine-maker, for certain improvements in machinery used for making twisted rovings, and yarn of cotton, flax, silk, wool, and other fibrous substances.

John Gold, of Birmingham, glass-cutter, for certain improvements in cutting, grinding, smoothing, polishing, or otherwise preparing glass decanters, and certain other articles.

John Ashton, of Birmingham, button-maker, for an improvement in the manufacture or construction of buttons.

George Beaden, of Taunton, Somersetshire, lieut. R. N., for a machine or apparatus for preventing boats or other floating bodies from capsizing or over-

turning, when oppressed by too much sail, and for easing the ropes and sheets of different classes and descriptions of vessels, parts of which machine or apparatus may be applied for other purposes.

Leonel Wellman Wright, of Sloane-terrace, Chelsea, for improvements in machinery for cutting tobacco, and applicable to other purposes.

John Ramsbottom, of Todmorden, Lancashire, mechanic, and Richard Holt, of the same place, iron founder, for certain improvements in the construction of power-looms for weaving cotton and other fibrous materials into cloth or other fabrics.

Peter Wright, of Edinburgh, manufacturer, for an improved method of spinning, twisting, and twining cotton, flax, silk, wool, or other suitable substances.

William Septimus Losh, of Walker, Northumberland, gent., for an improved method of bleaching certain animal fats, and certain animal, vegetable, and fish oils.

James Warne, of Union-street, Southwark, manufacturer, for improvements in engines or machinery for raising, drawing, or forcing beer, ale, and other liquids or fluids.

John Twisden, of Halberton, Devon, for improvements applicable to inland navigation.

William Hale, of Colchester, for certain improvements in windmills.

William Coles, of Charing Cross, for a certain specific or remedy for the cure, alleviation, or prevention of rheumatic, gouty, or other affections arising from colds or other causes.

Pierre Barthelemy Gunibert Debae, of Acre-lane, Brixton, for an improved machine for weighing, with the means of keeping a register of the operations of the enrolment.

John Chanter, of Stamford-street, Blackfriars, and William Witty, of Harford Cottage, near Newcastle, Stafford, for an improved method of abstracting heat from steam, and other vapours and fluids applicable to stills, breweries, and other useful purposes.

Edmund Youldon, of Exmouth, for improvements in preventing or curing smoky chimneys.

Thomas John Hamilton, earl of Orkney, and John Easter, engineer, both of Taplow, Bucks, for certain improvements in machinery or apparatus for propelling vessels on water.

Samuel Wellman Wright, of Sloane-terrace, Chelsea, for certain improvements in machinery or apparatus for refrigerating fluids.

Thomas Gaunt, of Bridport-place, Hoxton, for an improvement in earthenware pans and basins of water closets, and certain other earthenware vessels to which such improvements are applicable.

Andrew Hall, of Manchester, and John Stark, the younger, of Chortton-upon-Medlock, for improvements in the construction of looms for weaving by hand or power.

James Ward, of Stratford-upon-Avon, for his improvements in apparatus for ventilating buildings and other places.

Charles Arter, of Havant, Southampton, for improvement on cocks or taps for drawing off liquids.

James Pedder, of New Radford Notts. machinist, for improvements applicable to machinery for making bobbin-netlace.

Cornelius Tongue, of Gatacre Park, Salop, esq., for certain improvements in apparatus for preventing accidents to travelling carriages of various descriptions.

Jean Baptiste Mollerat, now residing with Sir John Byerley, at Whitehead's Grove, in Chelsea, manufacturing chemist for certain improvements in the manufacture of gas for illumination.

Richard Witty, of Hanley, Stafford, civil engineer, for improvements in saving fuel and burning smoke, applicable to furnaces and stoves.

Joseph Saxton, of Sussex-street, for improvements in printing presses, and in presses for certain other purposes.

Samuel Draper, of Radford, Notts, lace-maker, for an improved manufacture of figured bobbin net, or what is commonly called bobbin net lace.

James Gardner, of Banbury, Oxford, for certain improvements on machines for cutting Swedish and other turnips, mangel-wurzel, and other roots used as food for sheep, horned cattle, and other animals.

Joseph Chaield Daniell, of Twerton Mills, near Bath, for improvements in the process of manufacturing or preparing woollen cloth.

Richard Freen Martin, of Hercules Buildings, Lambeth, for a certain process of combining various materials so as to form stuccoes, plasters, or cements, and for the manufacture of artificial stones, marbles, and other like substances used in buildings, decorations.

James Jamieson Cordes, of 140, Pall Mall, London, for improvements in machinery for making rivets and screw-nuts, or bolts.

Benjamin Bick, of Bolton-le-Moors, for certain improvements in locomotive steam-carriages, part of which improvements are applicable to ordinary carriages, and to steam engines employed for other uses.

Thomas Sharpe, and Richard Roberts, of Manchester, engineers, for certain improvements in machinery for spinning and doubling cotton, silk, and other fibrous materials.

John Ericsson, of Union Wharf, Albany-street, Regent's Park, engineer, for certain improved machinery applicable for propelling vessels.

Richard Elkington, of Birmingham, for improvements in manufacturing of spectacles.

Thomas Searle, of Coleman-street, London, for certain improvements in boilers for generating steam.

Lord Baron Audley, of Radelgh Castle, Staffordshire, for an apparatus or machine as a substitute for, or to be attached to locks or other fastenings, which he denominates a lock protector.

Samuel Seward, of Poplar, Middlesex, engineer, for certain improvements in the construction of steam-engines.

Claude Marie Hilaire Molinard, of Brewer-street, Golden-square, for a certain improvement in looms or machinery for weaving fabrics.

George Littlewort, of Rahere-street, Goswell-road, for certain improvements on watches and clocks.

Malcolm M'Gregor, of Manchester, for certain improvements in machinery for slubbing, roving, spinning twining, and doubling cotton and other fibrous materials.

James Jones, of Salford, Lancashire, for certain improvements for making roving, spinning and doubling of cotton, silk, fax, and other fibrous substances.

Manoah Bower, and George Blyth, of Birmingham, for certain improvements on saddles for horses.

Jean Baptiste Pieney, of Fenton-square, Middlesex, for certain improved machinery for manufacturing articles out of brick and other the like earth.

James and John Hartley, of West Bromwich, near Birmingham, for a certain improvement or certain improvements in the manufacture of glass.

John Stanley and John Waltham

both of Manchester, for certain improvements on grates or apparatus applicable to steam-engines or other purposes, and in apparatus for feeding the same with fuel, which apparatus may be applied to other purposes.

Amasa Stone, of Johnstone, in the county of Providence, now residing at Liverpool, for an improvement on power and other looms, and in the weaving of silk, hempen, cotton, and woollen, cloth.

George Daniel Carey, of Bosford Notts. hat manufacturer, for certain machinery or apparatus to be employed in the manufacture of hats.

John George Bodmer, of Bolton-le-Moors, Lancaster, civil engineer, for certain improvements in the construction of grates, stoves, and furnaces, applicable to steam-engines and many useful purposes.

The same, for certain improvements in steam-engines and boilers, applicable both to fixed and locomotive engines.

James Berrie and David Anderson, both of Glasgow, manufacturers, for a machine or machines for making a new or improved description of healds or bealds to be used in weaving.

John Hearle, of Devonport, for certain improvements in engine-pumps, applicable to ships, and every other purpose that a pump can be applied to.

Joseph Gibbs, of Kennington, Surrey, for certain improvements in carriages, and wheels for carriages.

Samuel Bagshaw, of the parish of St. James, Middlesex, for an improved filter for water and other liquids.

Peter Rothwell Jackson, of Bolton-le-Moors, for certain improvements in hydraulic presses and pumps.

James Walton, of Sowerby Bridge, York, for improvements in the machinery used for raising the pile of woollen and other cloths.

Daniel Rutter Long, of Bath, for a new mode of applying certain antiputrescent and flavouring substances to meat.

Jean Michael Cramer, of Leicester-square, esq. for an improved steam-engine.

Charles de Bergue, of Clapham, Sur-

rey, for improvements in machinery for spinning or twisting cotton, flax, silk, and other fibrous substances.

Lemuel Wellman Wright, of Sloane-terrace, Chelsea, for certain improvements in machinery or apparatus for making paper.

Edward Galley Giles, of Lincoln's-Inn-fields, for certain improvements on apparatus for engraving on copper and certain other substances.

Samuel Garner, of Lombard-street, London, for an improvement in the art of multiplying certain drawings and engravings, or impressions, being a communication from a foreigner residing abroad.

William Crofts, of New Radford, Notts. for improvements in certain machinery for making figured or ornamental bobbin-net, or what is commonly called bobbin-net lace.

William Wain, of London, and George Scholefield, of Salford, for an improved apparatus for cutting the pile or cords of rustians and other fabrics manufactured of cotton, wool, and other fibrous materials.

Robert Whitehead, of Air, for certain improvements in the wheels of steam-carriages, and in the machinery for propelling the same, also applicable to other purposes.

Alexander Craig, of Edinburgh, for improvements in steam-engines.

James Lutton, of Pall Mall, Tottenham Court Road, for his invention of certain improvements on castors for furniture.

Robert Joseph Barlow, of Rudley, Yorkshire, for certain improvements in springs applicable to carriages and other purposes.

James Cochrane, of Stoke, Devonport, Captain, R. N. for certain improvements in ships, channels.

Jacob Tilton Slade, of Carburton-street, Fitzroy Square, for an improved metallic sheathing for the bottoms of ships and vessels.

John Donkin, of Blue Anchor Road, Bermondsey, for certain improvements in the machinery for making paper.

both of Manchester, for certain improve-
ments on rears or apparatus applicable
to steam engines or other purposes, and
in apparatus for feeding the same with
fuel, which apparatus may be applied
to other purposes.

POETRY.

James Sturt, of Manchester, in the
county of Lancashire, now residing at
Liverpool, for an improvement on power
looms, and in the weaving of cloth,
silk, hampers, cotton, and woolen, cloth.
George Daniel Gray, of Huddersfield,
Notre, hat manufacturer, for certain
machinery or apparatus to be employed
in the manufacture of hats, and in the
John George Bodmer, of Huddersfield,
for an improvement in the construction
of hats, and in the weaving of cloth,
silk, hampers, cotton, and woolen, cloth.

From "Yarrow Revisited; and other poems by William Lisle Garrison, New York, 1834."

While from the purpling east departs
The Star that led the dawn,
Blithe Flora from her couch upstarts,
For May is on the lawn.
A quickening hope, a freshening gleam,
Forerun the expected Power,
Whose first-drawn breath from bush and tree
Shakes off that pearly shower.
All Nature welcomes Her, whose way
Tempereth the year's extremes
Who scattereth fustic o'er noon-day
Like morning's dewy gleam
While mellow warblers, sprightly trill,
The tremulous heart extol
And hush the busy air to still
The balance of delight.
Time was, blest Power! when Youth and Spring
At peep of dawn would rise,
And wander forth, as forest glades
Thy birth to solemnize
Though mute the song—to grace the rite
Untouched the hawthorn bough
Thy Spirit triumphs o'er the slight
Man changes, but not Thou!
Thy feathered Linges fill and wings
In love's import employ
Warmed by thy influence, creeping Things
Awake to silent joy:
Queen art thou still for each gay Plant
Where the slim wild Deer roves;
And served in depths where Fishes haunt
Their own mysterious groves.

Cloud-piercing Peak, and trackless Heath,
 Instinctive homage pay
 Nor wants the dim-lit Cave a wreath
 To honour Thee, sweet May !
 Where Cities fanned by thy brisk airs
 Behold a smokeless sky,
 Their puniest Flower-pot-nursling dares
 To open a bright eye.

And if, on this, thy natal morn,
 The Pole, from which thy name
 Hath not departed, stands forlorn
 Of song, and dance, and game,
 Still from the village-green a vow
 Aspires to thee addrest,
 Wherever peace is on the brow,
 Or love within the breast.

Yes ! where Love nestles thou canst teach
 The soul to love the more ;
 Hearts also shall thy lessons reach
 That never loved before.
 Stript is the haughty One of pride,
 The bashful freed from fear,
 While rising, like the ocean-tide,
 In flows the joyous year.

Hush, feeble lyre ! weak words, refuse
 The service to prolong !
 To yon exulting Thrush the Muse
 Intrusts the imperfect song ;
 His voice shall chant, in accents clear,
 Throughout the live-long day,
 Till the first silver Star appear,
 The sovereignty of May.

THE LABOURER'S NOON-DAY HYMN.

By the Same.

Up to the throne of God is borne
 The voice of praise at early morn,
 And he accepts the punctual hymn
 Sung as the light of day grows dim.
 Nor will he turn his ear aside
 From holy offerings at noontide :
 Then here reposing let us raise
 A song of gratitude and praise.

What though our burthen be not light,
We need not toil from morn to night;
The respite of the mid-day hour
Is in the thankful Creature's power.

Blest are the moments, doubly blest,
That, drawn from this one hour of rest,
Are with a ready heart bestowed
Upon the service of our God!

Why should we crave a hallowed spot?
An Altar is in each man's cot,
A Church in every grove that spreads
Its living roof above our heads.

Look up to Heaven! the industrious Sun
Already half his race hath run;
He cannot halt nor go astray,
But our immortal Spirits may.

Lord! since his rising in the East,
If we have faltered or transgressed,
Guide, from thy love's abundant source,
What yet remains of this day's course:

Help with thy grace, through life's short day
Our upward and our downward way;
And glorify for us the west,
When we shall sink to final rest.

ON THE SIGHT OF A MANSE IN THE
SOUTH OF SCOTLAND.

By the Same.

SAY, ye far-travelled clouds, far-seeing hills,
Among the happiest-looking Homes of men
Scatter'd all Britain over, through deep glen,
On airy upland, and by forest rills,
And o'er wide plains whereon the sky distils
Her lark's loved warblings; does aught meet your ken
More fit to animate the Poet's pen,
Aught that more surely by its aspect fills
Pure minds with sinless envy, than the Abode
Of the good Priest: who, faithful through all hours
To his high charge, and truly serving God,
Has yet a heart and hand for trees and flowers,
Enjoys the walks his Predecessors trod,
Nor covets lineal rights in lands and towers.

FANCY AND TRADITION.

By the Same.

THE Lovers took within this ancient grove
 Their last embrace; beside those crystal springs
 The Hermit saw the Angel spread his wings
 For instant flight; the Sage in yon alcove
 Sate musing; on that hill the Bard would rove,
 Not mute, where now the Linnet only sings:
 Thus every where to truth Tradition clings,
 Or Fancy localises Powers we love.
 Were only History licensed to take note
 Of things gone by, her meagre monuments
 Would ill suffice for persons and events:
 There is an ampler page for man to quote,
 A readier book of manifold contents,
 Studied alike in palace and in cot.

SONNET,

COMPOSED AFTER READING A NEWSPAPER OF THE DAY.

By the Same.

"PEOPLE! your chains are severing link by link;
 Soon shall the Rich be levelled down—the Poor
 Meet them half way." Vain boast! for These, the more
 They thus would rise, must low and lower sink,
 Till, by repentance stung, they fear to think;
 While all lie prostrate, save the tyrant few
 Bent in quick turns each other to undo,
 And mix the poison they themselves must drink.
 Mistrust thyself, vain Country! cease to cry
 "Knowledge will save me from the threatened woe."
 For, if than other rash ones more thou know,
 Yet on presumptuous wing as far would fly
 Above thy knowledge as they dared to go,
 Thou wilt provoke a heavier penalty.

INDEX.

[N. B. The figures within crotchets refer to the History.]

- ASINEDON**, skeleton discovered at, reported to be that of a Scotchman, murdered many years ago, 24
- Accidents**: loss of the 'William Penn' steam-boat by fire, 29—four persons drowned in a boat on the Thames, 52; fire on board a Dublin steamer, 54; accidents on the Manchester railway, 55; loss of life in the church of the Holy Sepulchre, Jerusalem, 63; explosion in a coal pit, Harley Mine, near Blackrod, 72; a boy carried off by a wolf, 93; violent thunder storm at Prestwich, and several persons killed, 107; several persons seriously injured by a cow from Smithfield, 118; fires in Courland and Livonia, 121; loss of the Superb steamer, 170; fifty persons drowned at Liverpool, 178.
- Ady**, Joseph, charge against, by the Rev. F. Tebbutt, 96
- Agricultural Distress**, [238]; increase of burdens on the farmers, [259]
- Algiers**, debate in the French Chambers as to the expediency of abandoning the retention of it as onerous to France, [354]
- Althorp**, Lord, he and Mr. Sheil committed into the custody of the Serjeant-at-arms, [12]; supports the amendment against the repeal of the Union, [34]; explains the measures of the bill relative to the Irish tithe system, [85]; reply to Mr. Stanley's speech, [91]; sends in his resignation, [115]; announces the circumstance in the House, [121]; returns to the cabinet, [124]; introduces a modified Coercion Bill, [133]; speech in support of the bill for admitting Dissenters to the Universities, [190]; his plan for the extinction of church-rates by granting a sum from the land-tax, [207]; contends that the plan ought to satisfy the Dissenters, [212]; his plan for the commutation of tithes, [215]; brings forward the new Poor Laws' Bill, [223]; his arguments in favour of it, [227]; defends the bastardy clauses, [234]; his new financial plans, [284]
- Alvanley**, Lord, his speech against the Poor Laws' Bill, [244]; contends that a proper administration of the existing law would prevent abuses, [245]
- Anglessea**, Marquis of, letter from, to Earl Grey, urging church reform in Ireland, quoted by Mr. Hume, [48]
- Army estimates**, 288; reductions and savings *ib.*
- Assessed taxes**, alterations in, [292]
- Assizes**:—*Cambridge*; the King v. Seward and others, 57
- Chester*; W. Nailer, shooting at Mr. Wilkinson, 55; J. Mosley and W. Garside, murder of Mr. Ashton, 290
- Derby*; G. Malthby, &c. miners, murder of J. Bagshaw, suffocating him by smoke of combustibles in a mine, 290
- Dorchester*; J. Lovelass, &c.; administering unlawful oaths, 29
- Exeter*; the King v. Brice &c., administering of unlawful oaths by Trades' Unions, 106
- Kildare*; Patrick Waters, murder of Christopher Broughill, 45
- Kilkenny*, Robert Malone, murder of Mr. Leonard in 1833, 104
- Lancaster*; Alfred Rae, assault on Grace Brenn, 48
- Norwich*; J. N. Reeve, stealing property found on the person of Mrs. Pyne, a passenger drowned in the Earl of Wemyss' wreck, 42; J. and W. Jones, highway robbery, 44
- Old Bailey*, W. Collier, forgery on the Bank of England, 3; T. Goodwin, B. Swaby, and J. Ward, robbing the post-office, 130
- Meath*; M. Devine, J. Slevin, and P. M'Kenna, for murder of T. Cudden and J. Bunn, 309
- Philipstown*; the King v. Rev. Michael and Rev. W. Crotty, 99

INDEX

- Reading*; B. Gardiner, a private soldier, shooting a serjeant, 103
Warwick; Bird v. Smart, crim. con. 113; J. Fitter, murder of M. Webb, 115
Wells; Dan. Marogh, perjury, 120
Worcester; Anderton and Wife v. Gibbs, case of legitimacy, 33
York; Joseph Ratcliffe, manslaughter, 50; G. Webb, manslaughter, by administering Morrison's Pills, 305
 Attorney-General, his right of precedence before the Lord Advocate of Scotland, decided, 119
 Baboon, one trained to commit robberies by some itinerant showmen, 122
 Baden, a censorship established, [457]
 Baring, Mr. A., his speech on the subject of the agricultural interest and its relief, [260]; opposes the repeal of the corn laws, [277], [279]
 Barron, Mr., speech against the Union, [29]
 Bastardy clauses in the new Poor Laws' bill, [227]; Mr. Robinson's motion for their omission, [233]; Lord Althorp's defence of them, [234]; proposed modification, [236]; alteration proposed by the bishop of Exeter, [247]; decrease of bastardy in such parts of America where the burden of supporting the child is thrown upon the mother, [251]
 Bavaria, the King's speech, [457]
 Beer licences, taxation on, [291]
 Belgium; (see *Holland*); tumult at Brussels, and destruction of the houses and property of Orangeists, [448]; French influence in regard to alteration of duties, [449]; change of ministers, *ib.*; opening of the sessions, and votes of the Chambers, *ib.*
 Bienne, singular phenomenon exhibited by the wells at, 1
 Book-trade with France, 181
 Boulden, Judge, sudden death of, in the House of Representatives, United States, 14
 Bow-street, information against dealers in game, 100
 Bowring, Dr., [278]
 Brazil, measures for establishing a federal form of government, [471]
 Bristol, hp. of, (Dr. Gray) death, 242
 Brussels, riots at, against the Orangeists, [448]
 Brougham, Lord, his speech on the Irish tithe bill, [158]; on the poor-laws bill, [237]; injurious effect of the present system, [238]; points out the expediency of the proposed measures, [253]; his visit to Inverness, 129
 Budget the, [290]; France, [363]; Portugal, [440]; Holland, [447]
 Bulwer, Mr. E. L., proposes that holding office should entitle certain of the ministry to seats in parliament, [301]
 Burns, Mrs., funeral of, 49
 Buenos Ayres, attempt at a revolution, [471]
 Cambridge, petition from the university of, admitting dissenters to take degrees, [169]; counter petitions from do., [74] [175]
 Campbell, Gen. Sir J., case of his imprisonment by the Portuguese, brought before parliament, [320]
 Canada, Mr. Roebuck's motion for inquiry into the state of, [323]; petition from Quebec, presented by Mr. Hume, [326]
 Carlos, Don, attempts to cross the frontier from Portugal into Spain, [376]; his baggage taken by Rodil, [393]; he escapes on board the Donegal and comes over to England, [394]; returns to Spain through France, [395]; his landing at Portsmouth, 84; Death of his wife, 238
 Carnarvon, Earl of, his speech against the bill for admitting dissenters to the universities, [198]
 Catholic priests, dispute between two, as to possession of a chapel, 99
 Catholicism, a new Romish saint added to the calendar, 129
 Chameleon, revenue cutter, run down by a frigate off Dover, 128
 Chancellor, Lord, disavows intention of favouring Catholicism in Ireland, [46]
 Chandos, Marquis of, brings forward the subject of agricultural distress, [258]; resolution moved by him for remitting taxes pressing on agriculturists, [259]
 Charlestown, destruction of a convent at, by a mob, 128
 China and East India trade, meeting respecting, 19
 Cholera, successful treatment of, 108
 Characters of Lord Rosslyn, &c., 388
 Church establishment, Irish, Mr. Ward's motion for reduction of, [37]; proportion between Catholics and Protestants, [38]; church revenues, [39]; commission appointed to inquire into the state of the church, [45], *note*

I N D E X.

- Church, declaration in favour of, by the king, [44]; do. of the laity, presented to the king, 71.**
- Church and State, petition for separation of, [165]**
- Church-rates, Mr. Divett's motion for abolishing, [206]; withdrawn, [207]; Lord Althorp's plan for their extinction, *ib.*; opposition and dissatisfaction of the dissenters, [209]**
- Claville, Rev. J., law suit respecting the validity of his will, 311**
- Coal-pit, accident in, at Harley mine, 72**
- Cobbett, Mr., his motion for repeal of the malt-tax, [265]; asserts the house-tax to be unobjectionable, [286]**
- Coleridge, S. T. memoir of, 377**
- Commission appointed to inquire into the state of the Irish Protestant church, [45], *note*; the measure objected to by Mr. Stanley, [49,] by Sir R. Peel, [53]**
- Common Pleas, court of, opened to all the bar, 60**
- Commutation of tithe; see *Tithe***
- Conservative meeting at Dublin, 123**
- Constantinople, festivities on the marriage of the Sultan's daughter, 74**
- Convent at Charlestown, burnt by a mob, 128**
- Cooke, G., engraver, death, 215**
- Cooper, Mr., examined relative to the fire of the House of Lords, &c. 164**
- Coorg, rajah of, operations against, on the part of the British, [337]**
- Corn-laws, discussion on, [267]; their injuriousness, [268]; a change of the system, demanded by Mr. Hume, [269]; Sir J. Graham's defence of it, [270]; fluctuations of prices not prevented by them, [274] [276]; danger of free trade in corn, [280]**
- Cosway, Sir W., inquest on, 76**
- County-rates, report of the commissioners for inquiring into the charges on, 329**
- Court-martial on Captain Wathen, 11**
- Courts of law**
Chancery, application for writ of prohibition to a court-martial, 63
Consistory Court, *Tongue v. Allen*, dulent publication of banns, 98
King's Bench, *Cording v. Ballantine*, false imprisonment, 14; *Dewar v. Purday*, pirating the music of a song, 83; the king *v. T. R. Davis*, 288.
Vice Chancellor's Court, *Marato v. Hall*, Captain Nisbett's debts, 171
- Cross-examination, latitude adopted by counsel in, 2**
- Crime, state of, in France, 93**
- Dallaway, Rev. Jas., death, 228**
- Debating Club, fracas at, 21**
- Depravity, case of, 43**
- Derby, earl of, death, 243**
- Dissenters, remarks on the hostility of the dissenters to the church, [164]; petition from the university of Cambridge for admitting them to take degrees, [169]; counter petitions from do., [174]; Mr. Wood's bill for their admission, [175]; bill brought in by Lord J. Russell relative to dissenters' marriages, [213]; interview of the deputation from the Nottingham dissenters with Earl Grey, 7**
- Divisions of the House of Commons, report relative to, 334**
- Divett, Mr., his motion (afterwards withdrawn by him) for abolition of church-rates, [206]**
- Dog, lives of two children saved by, 31**
- Doyle, Dr., funeral of, 85**
- Drury-lane, the play called the "Wedding Gown," 1**
- Dublin, horrible condition of the poor in, as described by Mr. Cobbett, 151**
- Duel between gen. Bugeaud and M. Dulong, members of the chamber of Deputies, 10**
- Earthquake at Santa Martha, 71; at Carthagenia in Spain, 152**
- East-India and China trade, meeting relative to, 19**
- East-India Company, action against by the Bank of Bengal, to recover amount of bills forged upon the Company, 5**
- Ebrington, lord, presents a petition from the Devonshire landholders, for commutation of tithe, [215]**
- Edinburgh, meeting of the Brit. Association for the Promotion of Science, at, 132; public dinner to earl Grey, 141**
- Egypt, Mehemet Ali marches into Syria to put down an insurrection at Naplous [465]**
- Ellenborough, lord, his remarks relative to the communication between Mr. Littleton and Mr. O'Connell, [131]; speech against the Irish tithe bill, [152]**
- Ellice, Mr., brings forward the army estimates, [288]**
- English produce, reluctance of the continental states to admit, [279]**
- English Opera House, the new, opening of, 111.**
- Epsom, murder of Mr. J. Richardson, near, 25**

INDEX.

Estcourt, Mr., presents a petition from the University of Cambridge, against admitting Dissenters, [175]; amendment moved by him against Mr. Wood's bill for general admission to the universities, *ib.*

Evans, col. opposes the second reading of the Poor Law Bill, [227]

Exeter, bishop of, his speech against the bill for admitting Dissenters to the universities, [203]; against the Poor Law Bill, [247] [254]; moves an omission of one of the clauses, [255]

Festival, musical, at the Abbey, 86

Finchbury, election for the borough of, 89

Fires: the "William Penn" steamboat, 29; fire on board a Dublin steamer, 54; conflagration of Tula, Russian, 96; do. North Tawton, Devon, *ib.*; conflagrations of a forest near Riga, &c., 121; destructive fire at Liverpool, 124; a government steam packet destroyed at Liverpool, 153; destruction of the two houses of parliament, 155; the Europa Inn and twelve other houses, at Rotherhithe, 170; convent of nuns at Hammer-smith, 174

Fireworks, at Constantinople, 75.

Fishermen, dispute between English and French, 31; G. Burnet, master of the "Frolic," shot, 32

Forgeries, on the Bank of England, 3; on the East India Company, 5

Forgery of a will, lawsuit as to 311

Fortunetelling, egregious dupery of a believer in, 154

Four per Cents Annuities reduction of, [295]

France, opening of the chambers and king's speech, [338]; election of officers of Chamber of Deputies, [340]; character of the *tiers parti*, *ib.*; debate on the address, [341]; avowal of revolutionary principles by d'Argenson and Pages, [342]; claim on the part of France to dictate to other governments, [344]; licentiousness of the political press, [345]; bill against hawkers of journals, [347]; do. for suppression of political societies, [348]; disturbances at Lyons, [350]; do. at Paris, [352]; budget and finances, [353]; proposal to lower the amount of import duties, [356]; modification of the peerage, [357]; bill for satisfying the pecuniary claims of the United States, [368]; which is rejected and followed by the re-

signation of M. de Broglie, [361] 353; changes in the cabinet and close of session, *ib.*; king's speech, [362]; resignation of Marshal Soult, who is succeeded by Marshal Gerard, [364]; Gerard's resignation, [365]; new cabinet formed by the Duke of Bassano, *ib.*; they resign, [366]; the duke of Treviso made prime minister, *ib.*; prosecutions against the press, [367]; state of crime, 93; Table of the public debt, 349

Frankfort, disturbances at, and occupation of the city by the troops of the diet, [456]

Fraud, shameful instance of a, *ib.* one, in Ireland, 148.

Free trade in corn, petition from Liverpool, for [280]

French revenue, table of, 88

clergy, exiled, letter from, to the Lord Mayor, 89

Savings banks, report on showing great increase of deposits, 90

Fugate of Lafayette, 70; Dr. Doyne, 85

Gambling houses, destroyed by the mob, at Richmond, United States, 149

Game, Information against poachers in, 100

Ge, Mr., solicitor at Boston, Suffolk, extraordinary business on, 65; trial of the offenders, 67, and acquittal, *ib.*

Gerard, Marshal, appointed as minister of war and president of the council, [364]; resigns, [365]; succeeded by the Duke of Bassano, *ib.*

Germany, treaty between Austria, Russia, and Prussia, [456]; congress at Vienna, *ib.*; disturbances at Frankfort, *ib.*; disputes in Hesse Cassel between the government and the states, [457]; Hesse Darmstadt, *ib.*; Bavaria, *ib.*; Lichtenberg ceded to Prussia, [458]; commercial confederation of the different states, *ib.*; meeting of the diet, [460]; plan for a tribunal of arbitration between the states, *ib.*

Gloucester, Duke of, speech against the bill for admitting Dissenters to the universities, [194]; death, 247

Gloucestershire, election for the county division, 122

Goulburn, Mr., his speech against the petition from the University of Cambridge in favour of admitting Dissenters, [171]; presents a petition, [175]; speech against the

I N D E X.

- bill for admitting Dissenters to the universities, [183]
- Graham, sir James, resigns his office of First Lord of the Admiralty, [42]; his speech in favour of the corn laws, [270]; brings forward the navy estimates, [286]
- Grant, Mr. R., his bill for removing the civil disabilities of the Jews, [297]
- Grattan, Mr., speech against the Union, [30]
- Greece; dissension in the regency, and intrigues against count Armandsparg, the president, [462]; military operations against the Mainotes, *ib.*; recall of Maurer and Abel, *ib.*; insurrections in the Morea, [463]; trial of Colocotroni and Coliopulos for high treason, *ib.*; their sentence commuted for imprisonment, [464]; Mavrocordati sent to Berlin, Coletti appointed president of the council, *ib.*
- Grenville, Lord, death, 204
- Grey, Earl, his reply to the Duke of Wellington's speech on the address, [6]; address to, requesting him not to resign office after the resignation of Mr. Stanley, &c., [42]; his speech relative to the Irish Church commission, [57]; his determination to retain the three clauses in the Irish Coercion bill, prohibiting public meetings, [102]; opinion expressed of him by Mr. O'Connell, [104]; he resigns the premiership, [115]; his speech on the occasion, [116]; public dinner to him at Edinburgh, 141.
- Grote, Mr., seconds Mr. Ward's motion for reduction of Irish Church establishment, [41]
- Harding, —, preacher, disgusting hypocrisy and profligacy of, 40
- Harvey, Mr. D. W., and the Colchester election, [315]
- Hayti: horrible struggle between two prisoners sentenced to execution, a mulatto and a Portuguese, 34
- Heber, Mr., sale of his library, 176
- Hertford election, action relative to perjury connected with, 288
- Hesse Cassel, the budget proposed by the government rejected by the States, [457]
- Hesse Darmstadt, the government controlled by the opposition, [457]
- Hoare, Prince, death, 250
- Hohenlohe, Prince, anecdote respecting his miracles, 21
- Holland: political relations with Belgium, [443]; disputes connected with Limburg and Luxemburg, [444]; the Belgians act as rightful owners of Luxemburg, *ib.*; the allies of Belgium require that the governor should be removed, for opposing the orders of the Belgians, *ib.*; the King's speech on opening the States General, [445]; amendments on the address, [447]; the budget, *ib.*; votes of the States General, *ib.*
- Houses of Parliament, destruction of by fire, 155; examination as to its cause before the privy council, 158
- Howitt, Mr. W., one of the Nottingham Dissenters, urges the abolition of a church establishment, 7
- Hume, Mr., his amendment to the address on the King's speech, [8]; supports Mr. Ward's motion for a reduction of the Irish church establishment, [47]; his opposition to Lord Althorp's plan in regard to church-rate, [209]; opposes the corn laws, to which he ascribes agricultural distress, [267]; moves for a reduction of men in the navy, [287]; his letter animadverting upon Mr. Stanley, [326]
- Hydrophobia, case of, 112
- Jamaica, proclamation of Lord Sligo, the governor, to the negroes, 94
- Jersey, regulations respecting the oyster fishery off, 33
- Jews, bill brought forward by Mr. R. Grant for removing their civil disabilities, [297]
- Jewels, the Princess of Orange's, found, 45
- Illegitimate children, clauses relative to, in the new Poor Laws' bill, [233]; motion for omitting them, *ib.*; which is rejected, [235]
- Illuminations, mode of changing employed at Constantinople, 75
- Impostor, a female, tried at Fontainebleau, 29
- India, steam navigation to, 332
- Ingleby, Sir W., motion for repeal of the duty on malt, [296]
- Journals, French, prosecutions against, Quotidienne, 17; National, 21; Populaire, 27
- Inquests: Theodora White, suicide, 6; on four persons drowned in the Thames, 52; Rev. W. Goddard, suicide, 57; Sir W. Cosway, killed by overturning of the 'Criterion' 76
- Installation of the Duke of Wellington as chancellor of Oxford, 74
- Inverness; application of the magistrates respecting the expense of executing prisoners, 110

INDEX.

Ireland: good effects of the coercion bill, [5]; debate on Mr. O'Connell's motion for repealing the Union, [18]; his picture of its injustice, [19]; and of its ruinous consequences, [22]; Mr. Littleton's observations on the state of, [138]; Mr. Spring Rice's, [139]; Mr. P. Scroope's, respecting the want of poor laws, and sufficient protection to the peasant, [140]; state of Ireland, [333]; sanguinary affray at Rathcormick, [334]; Dr. M'Hale's letter to the Duke of Wellington, *ib.*; dispatches from the Lord Lieut. respecting the state of the country, 325
Irish Church, Mr. Ward's motion relative to, [37]

———— Commission, [45]
———— Temporalities bill, [161]
—— Coercion Act, bill for renewing, [100]; dislike of the agitators to it, [101]; correspondence relative to it between the Lord Lieutenant and Earl Grey, *ib.*
—— Tithe bill, [65], [145]
Irving, Rev. E., death, 249

King, his reply to the address declaring the determination of parliament to maintain the Union, [35]; his declaration in favour of the church, [44]
King's college, London, report of, 62
King's speech, the, [1]; on proroging parliament, [330]; parody on ditto, [331] *note*

Lafayette, funeral of, 70
Lamb, hon. G., death, 202
Lambert, Mr., speech against the repeal of the Union, [30]; policy likely to be adopted by Ireland in case of repeal, *ib.*
Land-tax, as proposed to be substituted for tithe in Ireland, [66]
Lansdowne, Marquis of, speech on the Irish tithe bill, [154]
Law cases and narratives, 288
Leach, Sir John, death of, 239
Lenses, polyzonal, formed in separate pieces exhibited at the Royal Society, Edinburgh, 18
Lichtenberg, principality of, ceded to Prussia, [458]
Lists:—Ministry, 182; Sheriffs, 185; Births, 186; Marriages, 189; Promotions, 196; Deaths, 201
Littleton, Mr., speech against the repeal of the Union, [28]; states the provisions made by the bill for the amendment of the Irish tithe system, [65], and the alterations afterwards introduced into it, [70]; speech in reply

to Mr. Stanley, [98]; enters into communications with Mr. O'Connell, [103], [105]; charged by him with deception, [107]; tenders his resignation, which is refused, [111]; his speech on the modified Irish Coercion bill, [138]
Liverpool, destructive fire at, 124; a government steam packet destroyed by fire, 153; fifty persons drowned, 173
Llauder, captain general of Catalonia, account of, and his letter of remonstrance to the queen-regent, [371]
London University, petition voted by Court of Common Council, praying that a charter be granted it, 52
London, Bishop of, his speech in favour of the Poor Laws bill and its principle in regard to illegitimate children, [250]
Londonderry, Marquis of, speech on foreign affairs, and the unjustifiable conduct of the ministry [321]
Lords, House of, burnt, 155; discovery of the part of the tapestry in possession of a broker, 172
Lushington, Dr., Sir R. Peel's correspondence with, 177
Lyons, disturbances at, 350
Lysons, Rev. Dan., death, 203

M'Hale, Dr., his strange letter to the Duke of Wellington, [334]; disgraceful popish fraud by, 148
Maguire, Capt. C., murdered, 168
Malt tax, Mr. Cobbett's motion for its repeal, [265]
Mansfield, Earl of, speech on the Irish tithe bill, [156]
Maxwell, Mr. R. C., tried and sentenced for shooting Mr. Holmes, 54
Melbourne, Lord, succeeds Earl Grey as head of the ministry, [122]; his speech in the debate on the Coercion bill, [143]; on the bill for admitting Dissenters to the Universities, [189]
Mexico: General Bravo's attempts against Santa Anna's government, [469]; engagement between him and Victoria, [470]; the legislative chambers dissolved by Santa Anna, *ib.*; revolt against him, and new ministry formed by him, *ib.*
Miguel, Don, agrees to quit Portugal on condition of an annual pension, [203]
Ministers, list of, 182
Ministry, change of, Earl Grey and Lord Althorp resign, [115]; Lord Melbourne becomes first lord of the treasury, *ib.*; other changes, [116]; Lord Althorp's return to the cabinet, *ib.*; he is called to the house of peers by

INDEX.

his father's death, and a new ministry formed under Sir R. Peel, [335]

Mitford, Miss, "Charles the First," 92
Mont Blanc, ascent of, by Dr. M. Barry, 147

Morrison's pills, death occasioned by administering, 305

Murders: Thos. Canning, poisoned by Patrick Martin, 17; Mr. J. Richardson robbed and murdered near Epsom, 25; strange murder of Count Uregg, in Germany, 28; Barnard O'Neill shot by Jas. Tormar, Ireland, 56; shocking murder at Thomastown, Roscommon, 98; P. Feeney, a sergeant, shot by a private, 102; trial of one of Mr. Leonard's murderers, 104; Margaret Webb, 115; a woman murdered by her husband, Rouen, 125; Capt. C. Maguire, 169; trial of Mosley and Garside for murder of Mr. T. Ashton, 290

Musical Festival at Westminster Abbey, 86

Nationel, French paper, prosecution of, and sentence against the editors, 21

National debt; Mr. O'Connell proposes the interest should be reduced, [261]

———— Gallery, the two Corregios purchased for, 110

Navy estimates, brought forward by Sir J. Graham, [286]; great reductions, [287]

Neuchatel, applies to be dissevered from the Swiss confederation, [453]

New York, disturbances at, occasioned by the popular hostility to negro emancipation, [469]

Newgate, attempt of twelve convicts to break out from, 41

Nisbett, Captain, item of a tailor's bill against him, 172

North Tawton, extensive fire at 95

Obi-ism, case of extraordinary delusion, respecting, 73

Obituary: W. Sotheby, 201; hon. G. Lamb, 202; Rev. Dan. Lyons, 203; Lord Grenville, 204; Lady Lyndhurst, 206; Dr. Williams, *ib.*; E. Upham, 207; R. Lander, 209; M. de Bourienne, 211; Lord Teignmouth, 212; L. Lukin, 213; J. Thelwall, *ib.*; Sir H. Trelawney, 214; Sennefelder, 215; G. Cooke, (engraver) *ib.*; J. Hibbert, 217; L. T. Ventouillac, 218; J. Biddles, *ib.*; H. J. Hakewill, (sculptor) *ib.*; Hon. Capt. York, 219; F. Douce, 220; R. Ackermann, *ib.*; J. Shipp, 221; W. F. Smallwood,

(artist) 223; T. Stothard, R. A. *ib.*; J. Caley, 224; Lafayette, 226; Chas. Wesley, 227; Rev. Jas. Dallaway, 228; Dr. Doyle, 230; J. Penn, 231; Sir Gilbert Blane, *ib.*; Earl Bathurst, 233; Duc de Cadore, *ib.*; N. Weipport, 234; T. Telford, (engineer) 236; Donna Maria, titular Queen of Portugal, 238; Dr. Bisset, Bishop of Raphoe, *ib.*; Sir J. Leach, 239; Don Pedro, 240; Bishop of Bristol, (Dr. Gray), 242; Earl of Derby, 243; Hon. W. R. Spencer, *ib.*; T. C. W. Mayhew, *ib.*; T. Law, 244; Earl Spencer, *ib.*; Sir Herbert Sawyer, 245; Thos. Parke, 246; Anth. Aufrere, 247; Col. Wardle, *ib.*; Duke of Gloucester, *ib.*; Rev. J. Harriman, 249; Rev. E. Irving, *ib.*; H. Bone, (painter) 250; Prince Hoare, *ib.*

O'Connell, Mr. amendment to the address on the King's speech moved by [9]; brings forward an imputation alleged to be made against him by Mr. Hill in his speech at Hull, *ib.*; his motion for a committee of inquiry into the conduct of Mr. Baron Smith, [13]; motion for a repeal of the union, [18]; his inflammatory addresses censured by Mr. Littleton, [28]; his inconsistency adverted to by Sir R. Peel, [32]; Lord J. Russell's censure against him, [70]; motion by him, intended as an instruction to the committee on the bill relative to Irish tithe system, [78]; negotiations between him and Mr. Littleton, [103 105]; his address to the reformers of England, and contumelious remarks on Earl Grey, [104]; accuses Mr. Littleton of having deceived him as to ministers' views in regard to renewing the Irish coercion act, [107]; his motion for submitting the papers relative to Ireland, to a select committee, [111]; observation on Lord Althorp's modified coercion bill, [134]; amendments moved by him in committee on it, [141]; proposes a reduction of the interest of the national debt, [262]; complains that no reduction is made in Irish taxation, [286]; his letters to Lord Duncannon, [332.]

O'Connor, Mr. F. speech against the amendment on the motion for repealing the union, [28]

Olympic theatre, Madame Vestris address at the close of the season, 40.

Oporto Wine Company, its rights, &c., abolished, [435]

Oldham, riots of the trades unionists, 57
Orange, Princess of, her jewels disco-

INDEX:

- vered, 45; confession and punishment of Polari, 48
- O'Reilly, Mr. (a catholic) his speech against the motion for abolishing Irish tithes, [52]
- Outrages: extraordinary one on Mr. Geo of Bishop's Stortford, 65; on Charles Morris, 67
- Oxford, installation of the Duke of Wellington as chancellor, 78
- Oyster fishing on the coast of France, regulations relative to, 33
- Parke, Thos., death, 246
- Paris: pensions to the widows of Generals Daumesnil and Gerard rejected by ballot in the Chamber of Deputies, after a majority had declared in their favour, 8; duel between General Bugeaud and M. Dulong, 10; trial of Count de Kergoey and M. Diende, for articles in the *Quotidienne*, 17; precautions taken against the sale of the "*Bon Sens*," 23; trial of Cabet, for articles in the *Populaire*, 27; trial of twenty members of the *Société des Droits de l'Homme*, 61; riot on passing the bill for suppression of political societies, 352
- Parish allowance to labourers, its mischievous consequences, [237] [239]
- Parliament, motion for shortening the duration of, [300]
- Parliament; the King's speech, [1] Duke of Wellington's speech on the address, [3]; Earl Grey's reply, [6]; amendment moved by Mr. O'Connell, [9]; charge against Mr. Sheil, [11]; he and Lord Althorp committed to the custody of the Serjeant-at-Arms, [12]; committee to investigate the matter, *ib.*; Mr. O'Connell's motion criminalizing Mr. Baron Smith, [13]; do. for repeal of the union, [18]; Mr. Spring Rice's counter motion for an address in behalf of the union, [23]. Mr. E. Tennent's speech on the same side, [25]; beneficial effects of the union insinuated on by him, [27]; Mr. F. O'Connor's speech against the union, [28]; Mr. Littleton's, for it, *ib.*; Mr. Barron's against it, [29]; Mr. Lambert's, for it, [30]; Sir R. Peel's do., [31]; amendment against repeal carried by a vast majority, [34]; address of the Commons and Peers to the King, *ib.*; his Majesty's reply to it, [35]; state of the cabinet in regard to Irish ecclesiastical affairs [36]; Mr. Ward's motion for a reduction of the Irish Church Establishment, [37]; seconded by Mr. Gros, [41]; achieved among ministers respecting the appropriation of the church revenue, [42]; Mr. Stanley, Sir J. Graham, Duke of Richmond, and Earl of Ripon, resign, *ib.*; commission issued to inquire into the state of the Irish church, [46]; debate on Mr. Ward's motion, [47]; which is supported by Mr. Hume, &c. *ib.*; Mr. Stanley's speech, [48]; Mr. O'Reilly's, [52]; Sir R. Peel's, [53]; the amendment carried by a large majority, [56]; the subject of Irish church matters brought before the Earl of Wicklow's motion for a copy of the commission, *ib.*; Earl Grey's speech, [57]; Earl of Ripon's, [58]; Duke of Richmond's, [59]; Earls of Eldon and Winchelsea's, [60]; Archbishop of Canterbury, and Bishops of London and Exeter, *ib.*; Marquis of Clanricarde's and Earl of Radnor's, in favour of the commission, [62]; Marquis of Londonderry's, do., [63]; Duke of Wellington's speech, *ib.*; Lord Chancellor's, [64]; he disavows any inclination to favour catholicism [65]; Bill for amendment of the tithe system, *ib.*; a land tax proposed to be substituted for composition for tithes, [66]; dissatisfaction of the Irish party, [67]; alterations proposed by O'Connell, Grattan, &c., *ib.*; alterations in the Bill, stated by Mr. Littleton on its second reading, [70]; Mr. Sheil's speech, [72]; Mr. Stanley's, [73]; the amendment rejected, [74]; Mr. Stanley's speech, on the debate being resumed, *ib.*; disposition of the conservatives to carry the Bill into committee, [77]; dissatisfaction of the enemies of the church with the Bill, *ib.*; Mr. O'Connell's motion intended as an instruction to the committee on the Bill, [78]; Sir R. Peel objects to the Irish church commission as unnecessary, [82]; Mr. O'Connell's resolution lost by a great majority, [84]; new alterations in the Bill announced, *ib.*; some operations of the measures explained by Lord Althorp and Mr. Littleton, [86]; Mr. Stanley's speech upbraiding ministers with want of principle and consistency, [87]; Lord Althorp's reply, [91]; amendment moved by Mr. Hume, *ib.*; opinions of other members, [93]; Sir R. Peel's speech in favour of redemption of tithes, [94]; Lord J. Russell's speech in reply, [97]; Mr. Littleton's, [98]; majority against Mr. Hume's amendment, [99]; Bill for the redemption

I N D E X .

the Irish coercion act, introduced in the Lords, [100]; Earl Grey's resolution to retain the clauses respecting public meetings, [102]; Lord Brougham also supports those clauses [103]; the cabinet determines to retain them, [106]; disclosures made in the Commons by Mr. Littleton and Mr. O'Connell, [107]; the former tenders his resignation, [111]; Lord Althorp's motion for printing the papers relating to the state of Ireland, *ib.*; Mr. O'Connell's amendment, *ib.*; opposed by Sir R. Peel, [112]; the amendment rejected, [114]; Lord Althorp, and Earl Grey resign, [115]; Earl Grey's speech on the occasion, [116]; his review of his administration, [118]; Duke of Wellington's speech, commenting on the Grey administration, [119]; Lord Althorp's speech in the Commons on announcing his retirement from office, [121]; Lord Melbourne made head of the cabinet, [123]; Lord Althorp consents to return to office, [124]; the coercion Bill withdrawn in the Lords, *ib.*; discussion, animadverting on the conduct of the ministry [125]; Lord Wharncliffe's motion for a copy of the Lord Lieutenant's letter, [127]; Lord Melbourne's reply, [130]; he objects to the letter being produced, *ib.*; Lord Ellenborough's speech, [131]; Lord Wharncliffe withdraws his motion, [132]; modified Coercion Bill introduced in the Commons, [133]; Mr. O'Connell accedes to the motion [134]; which is, however, opposed by other Irish members, *ib.*; Sir R. Peel disposed to countenance the bill, [135]; Lord Howick calls upon Mr. Littleton to answer certain questions relative to the Lord-lieutenant's communication, [138]; Mr. Littleton's argument for withdrawing the original clauses, [139]; bill read a second time, [140]; Mr. Scroope's motion for relieving the Irish poor, *ib.*; seconded by Mr. O'Connor, *ib.*; Mr. O'Connell opposes the bill, [141]; the second reading carried, *ib.*; amendments moved by Mr. O'Connell, *ib.*; Debate on the bill in the Lords; Duke of Wellington's amendment, *ib.*; Lord Melbourne's speech, [143]; Earl of Harewood's, Earl of Wicklow's, and Lord Chancellor's, [144]; the bill passed, [145]; protest against it by several peers, *ib.*, note; the Tithe Bill resumed,

ib.; Mr. O'Connell's motion for postponing the committee six months, [146]; majority against it, [148]; another amendment by him for immediately relieving tithe-payers forty per cent., *ib.*; which is carried against ministers, [149]; the bill hurried through committee, and numerous clauses expunged, [150]; passed in the Commons, [151]; debate in the Lords on the second reading, *ib.*; Lord Melbourne's speech, *ib.*; Bishop of Derry's, [152]; Lord Ellenborough's, *ib.*; Marquis of Lansdown's, [154]; Lord Duncannon's [155]; Earl of Winchilsea's and Earl of Mansfield's, [156]; Lord Chancellor's, [158]; Duke of Wellington's, [160]; Earl of Ripon's, *ib.*; bill thrown out, [161]; Irish Church Temporalities' Bill, *ib.*; Mr. Rippon's motion for expelling the bishops from parliament, [166]; petition presented by Earl Grey from Cambridge, for admitting Dissenters to the universities, [169]; do., in the Commons by Mr. Spring Rice, [171]; opposed by Mr. Goulburn, *ib.*; Mr. Wood's motion for a bill for their admission, [173]; counter petitions from Cambridge and Oxford, [174]; Mr. Wood brings in his bill, [175]; Mr. Estcourt's motion against it, *ib.*; arguments in support of it by Mr. Peter, Mr. Poulter, and Mr. Ewart, [178]; Mr. C. W. Wynn's speech against it, [179]; Mr. Spring Rice's in favour of it, [181]; Mr. Goulburn's against it, [183]; Mr. Stanley's, [185]; Sir R. Peel's, [186]; Lord Althorp's for the bill, [190], which is read a third time and passed amid great uproar, [191]; the bill introduced in the Lords by the Earl of Radnor, [192]; Duke of Gloucester's speech against it, [194]; Duke of Wellington's ditto, [195]; Earl of Carnarvon's ditto, [198]; Lord Melbourne's speech, [199]; Lord Chancellor's, [200]; Bishop of Exeter's against the bill, [203]; the bill rejected in the Peers by a great majority, [205]; Mr. Divett's motion for abolition of church rates, [206]; withdrawn by him, and Lord Althorp substitutes for it a plan of his own, [207]; proposes to allot a sum from the land-tax, [208]; opposition on the part of the Dissenters, [209], and of the supporters of the church, [211]; the motion carried, but proceeded with no further, [213]; Lord J. Russell introduces the Dissenters' marriage bill,

INDEX.

id., which is withdrawn, [914]; petition presented by Lord Ebrington for commutation of tithes, *id.*; Lord Althorp brings forward his plan for such commutation, [915]; Sir R. Peel's speech against it, [918]; the measure dropped, [919]; petition from the grand jury of Stafford for revision of the system of taxation, [922]; bill for the amendment of the Poor Laws, *id.*; summary of the principles of the plan, [927]; the second reading opposed by Col. Evans, *id.*; the second reading carried, [930]; discussion in committee, *id.*; Mr. Robinson's motion for omitting the bastardy clauses, [933]; Lord Althorp justifies them, [934]; those clauses modified, [936]; the bill passed and sent up to the Lords, [937]; Lord Brougham's speech on moving the second reading, *id.*; evils of the present poor laws' system, [938]; Lord Wyndford's amendment against the bill, [941], which is opposed by the Earl of Winchester, Duke of Wellington, and Duke of Richmond, [943]; Lord Alvanley's speech against the system contemplated by the bill, [944]; proposes in committee that the bill be dropped, [945]; the Lord Chancellor, Earl of Winchester, and Duke of Wellington, contend for the advantages of a central board of commissioners, [946]; the bishop of London's speech in favour of the bill, [950]; Earl of Radnor's, [953]; Lord Chancellor's, *id.*; the amendment rejected, [955]; alterations in the bill on its third reading, *id.*; the bill passed by the Lords, [956]; amendment in the Commons, [957]; Marquis of Chandos' motion relative to agricultural distress, [959]; Mr. A. Baring's speech, [960]; Sir J. Wentworth's, [961]; contemplated repeal of the house tax, [963]; second motion by the Marquis of Chandos, [964]; Mr. Cobbett's motion for repeal of the malt tax, [965]; discussion on the corn laws, [967]; Mr. Hume attacks the system as pernicious, *id.*; Sir J. Graham supports it, [970]; Mr. Thomson's reply, [974]; Mr. Baring and Mr. C. Ferguson, oppose the repeal of the corn laws, [977]; subsequent discussions, [980]; Sir R. Peel deprecates free trade in corn, *id.*; Sir H. Parnell against continuing the corn laws, *id.*; Mr. G. F. Young's motion for restoring parliamentary control over treaties with foreign powers, [981]; tea trade and duties, *id.*;

The Chancellor of the Exchequer's financial plans, [984]; navy estimates, [986]; army ditto, [988]; ordnance ditto, [990]; Irish estimates, [990]; budget, *id.*; taxation relative to spirits and beer, [991]; savings banks, [992]; motion relative to the pension list, [996]; Mr. R. Grant's bill for removing the civil disabilities of the Jews, [997]; debate on in the Peers, [998], where it is thrown out, [999]; Mr. H. Sturges' motion for a bill to obviate members vacating their seats on accepting office, [1000]; Mr. E. L. Bulwer's proposal that seats in Parliament should be held *ex officio* by those in certain public departments, [1001]; both motions withdrawn, [1002]; Mr. Tennyson's bill for shortening the duration of Parliaments, *id.*; opposed by Col. Davies and Lord Dalmeay, [1003]; Mr. Stanley's speech, [1006]; Col. Evans's motion for amendment of the Reform Act as regards payment of rates and taxes, [1010]; majority against it, [1012]; Lord J. Russell's bill against bribery at elections, *id.*; the Warwick election case, [1013]; bills for disfranchising Hertford, &c., [1014], inquiry relative to Mr. D. W. Harvey and the Colchester election, [1015]; Editor of the "Morning Post" brought up for breach of privilege, [1019]; case of Sir J. Campbell's imprisonment by the Portuguese government, [1020]; Marquis of Londonderry's motion respecting our foreign policy, [1021]; Mr. Roebuck's motion respecting the political condition of Canada, [1022]; Mr. Stanley's speech, [1024], his amendment, [1026]; petition from Quebec presented by Mr. Hume, *id.*; right of fishing on the coast of Newfoundland, [1027]; communication with India, [1028]; King's speech on prorogation of Parliament, [1030].

Parnell, Sir H., his speech against the corn-laws, [986]

Paupers, conspiracy for procuring marriage between, 37

Peasbroke's Act, questions relative to, 14

Peel, Sir R., defends Mr. Henry Smith against Mr. O'Connell's charges, [16]; speech against the repeal of the union with Ireland, [31]; against Mr. Ward's motion relative to Irish Church affairs, [48]; against the commission, [58], in favour of the redemption of tithes, [54]; his speech

I N D E X.

- against the bill for admitting dissenters to the Universities, [186]; his speech against Lord Althorp's plan for commutation of tithes, [218]; presents a petition from the grand jury of Stafford, for a revision of the system of taxation, [222]; censures Mr. O'Connell's proposal for reducing the interest of the national debt, [262]; deprecates free trade in corn, [280]; sent for to Italy to form a new ministry, [336]; his address to the electors of Tamworth, 339
- Peerage, modification of, in France, [357]
- Pension-list, motion for inquiry respecting, [296]
- Peru: unsuccessful attempts of the ex-president Gamarra, Bermudez, &c., against the president Orbegoso, [471]; Gamarra defeated by Gen. Miller, *ib.*
- Phenomena: strange liquid emitted by the wells at Bienne, 1; a 'porcupine man,' 11
- Poland, sentence passed on the chief actors in the revolution, [461]
- Polari, Constant, perpetrator of the robbery of the Princess of Orange's jewels, 46; his sentence, 48
- Police: Ellen Morgan, a fortune-teller, and her dupes, 154
- Polish refugees, invasion of Savoy by, [450]; they retire to Geneva, and lay down their arms, *ib.*
- Political societies in France, [348]; bill against them, [349]
- Poor-laws, bill brought in for amending them, [222]; mischievous tendency of the present system, [224]; the allowance system, [225]; law of settlement, [226]; illegitimate children, [227]
- Population of Paris, 110
- Popish fraud, most disgraceful instance of, in Ireland, 148
- Portugal: the title of Donna Maria acknowledged by the Regency of Spain, [392]; General Rodil crosses the frontier in pursuit of Don Carlos, [393]; Miguel agrees to quit the peninsula, on condition of receiving a pension, *ib.*; the Portuguese government take no steps to prevent Don Carlos escaping, *ib.*; progress of the Queen's cause, and declining condition of Don Miguel's, [431]; surrender of Leyria to the royalist's army, [432]; the Miguelites defeated by Saldanha, *ib.*; driven from the northern provinces, [433]; Figueiras and Coimbra declare for the Queen, *ib.*; the duke of Terceira and Saldanha pursue Miguel, [434], who capitulates at Evora, and embarks for Genoa, *ib.*; the Cortes convoked by Don Pedro, [435]; Lisbon and Oporto declared free ports, [*ib.*]; the Oporto Wine Company abolished, *ib.*; also religious houses, *ib.*; decree establishing a metallic currency, [436]; Don Pedro's speech on opening the Cortes, *ib.*; he is appointed Regent, [437]; his illness, *ib.*; and death, [438]; new ministry, with Palmella at its head, *ib.*; Donna Maria's marriage, [439]; bill for excluding Miguel and his descendants from the throne, *ib.*; sale of national and church property, *ib.*; the budget, [440]; ungrateful treatment of the British military auxiliaries, [441];
- Post-office system, improvements in, 336
- Press and censorship, regulations relative to, in Spain, [386]
- Press, political, licentiousness of, in France, [345]
- Prestwick, several persons killed by lightning at, 108
- Prussia, treaty with Austria and Russia, [456]; Lichtenberg ceded to Prussia, [458]; Prussia encourages the commercial league, [459], and effects its being concluded, [460]
- Prussia, fires in forests in, 123
- Public documents—domestic, 325; foreign, 344
- Quebec: chateau of St. Louis burnt, 6
- Radnor, earl of, introduces in the House of Lords the bill for admitting dissenters to the Universities, [192]
- Railway, accident on, Manchester, 56
- Railway, opening of the Leeds and Selby, 150
- Resignations of Mr. Stanley, Sir James Graham, Duke of Richmond, and Earl of Ripon, [42]; Earl Grey and Lord Althorp, [115]
- Rice's, Mr. Spring, speech against Mr. O'Connell's motion for a repeal of the union, [23]; moves for a counter address to support the union, [25]; succeeds Mr. Stanley as colonial secretary, [51]; his speech in favour of the bill for admitting dissenters to the Universities, [181]
- Richmond, Duke of, resigns the postmaster-generalship, [42]; his speech relative to the Irish commission, [59]
- Riots: the trades' unionists at Oldham, 57
- Ripon, Earl of, resigns the privy seal, [48]; his speech against the princi-

I N D E X.

- ple of the Irish Church commission, [58]; on the Irish tithe bill, [160]
- Rippon, Mr., his motion for expelling the bishops from Parliament, [166]
- Robbery, aggravated case of, by two women employed as nurses, 127
- Robbery and murder near Epsom, 25
- Rodde, M., editor of "Bons Sens," 23
- Roden, Earl of, speech against the Irish tithe bill, [156]
- Roebuck, Mr., his motion for an inquiry into the political condition of Canada, [325]
- Rosa, Martinez de la, succeeds Zea as the Spanish prime minister, [374]
- Rossini, composer, brings his suit for recovery of a pension granted him by Charles X., 39
- Russell, Lord J., vindicates the ministry from the charge of insincerity in their views respecting the appropriation of surplus church revenues in Ireland [48]; censure of Mr. O'Connell, [70]; willing to appropriate the revenues of the Irish Church to other purposes, [81]; introduces bill relative to dissenters' marriages, 213
- Russia : decree regulating the power of its subjects to reside abroad, [462]; treaty of alliance with Turkey, [464]; possessions yielded up by Turkey, *ib.*
- Ruthven, Mr., his motion for reducing the number of the lords of the admiralty, [287]
- Salvage, case of the Thetis, 301
- Sanford, Sir D., speech against the repeal of the Union, [29]
- Santa Martha, earthquake at, 71
- Savings' banks' stock, [295]
- Savings' banks in France, report on, 91
- Savoy, invasion of, by Polish refugees, [450]
- Sawyer, Sir Herbert, death of, 245
- Sciences, meeting of the British Association for promoting, at Edinburgh, 132
- Scotland, church of, act passed by the General Assembly for restraining the power of patrons in appointing ministers [220]; dissent on part of some of the members of the Assembly, [221]; *note.*
- Scroope, Mr. P., his motion relative to the Irish Coercion bill, and making provision for the Irish peasantry, [140]
- Sheil, Mr., calls upon Lord Althorp to name the Irish member alluded to in Mr. Hill's speech at Hull, [10]; he and Lord Althorp committed to custody of serjeant-at-arms, [12]; his objections to the bill for amendment of Irish tithe system, [72]
- Slavery, the act abolishing, carried into effect in the West Indies, [337]
- Smith, Mr. Baron, charges brought against, by Mr. O'Connell, [13]; Mr. Shaw's vindication of him, [15]; Sir R. Peel's, [16]
- Somnambulism, extraordinary case of, 97
- Sotheby, W., death, 201
- Spain and Portugal, allusion to affairs of, by the Duke of Wellington, [4]
- Spain, state of the country, [368]; posture of Don Carlos' affairs, and difficulties of the government, [369]; policy of Zea, the prime minister, *ib.*; Llauder's letter to the queen regent advising her to dismiss her ministers, [371]; Zea resigns, [374]; new ministry, Martinez de la Rosa, *ib.*; characters of the other ministers, [375]; attempt of Don Carlos to invade the frontier, and insurrections of the Carlists, [376]; regulations respecting the urban militia or national guard, *ib.*; discontent excited by those regulations, [377]; military operations of the Carlists, *ib.*; proclamations issued by them, [379]; counter-proclamations on the part of the government, and decrees against religious bodies favouring the Carlists, [380]; continuation of the civil war, [381]; the command of the royal army taken from Quesada, and given to Rodil, *ib.*; the new charter or royal statute, [382]; constitution of the Cortes, [383]; electoral laws, [385]; ecclesiastical commission for the reform of the church, [386]; decrees regulating the press, [387]; and censorship of journals, [389]; Donna Maria, Queen of Portugal, acknowledged by the Spanish government, [392]; Rodil enters Portugal, pursues Don Carlos and takes his baggage, [393]; the Portuguese government allow the latter to escape on board a British vessel, [394]; he returns to Spain, through France, [395]; appearance of the cholera morbus, *ib.*; the pestilence attributed to the public fountains being poisoned by the Carlists, [396]; tumults in the capital, in consequence, and several friars massacred, *ib.*; a conspiracy for seizing the queen regent detected, [398]; opening of the cortes and speech of the Queen Regent, [399]; the address, [402]; debates on do., [405]; debate respecting the abolition of the

INDEX.

- censorship of the press, [405]; bill of rights presented to the deputies, [407]; debate upon it, [409]; declaration for the liberty of the press carried, [410]; declaration of rights finally voted by the deputies, [411]; financial state of Spain, [412]; debate as to recognizing Ferdinand's loans, [418]; majority in favour of the recognition of all the loans, [423], the Guebhard loan excepted, [424]; subsequent conditions and arrangements, [426]; bill of exclusion against Don Carlos and his descendants, [427]; Rodil's operations against the Carlists, [429]; Rodil recalled and the command given to Mina, in consequence of the successes of the Carlists, *ib.*; the royalists defeated by Zumalacarre-gui, *ib.*; Mina begins to carry on a war of extermination, [430]; earthquake and storm at Carthage, 152; treaty between the Queen Regent and the King of the French, &c., 344
 Spencer, Earl, death of, 244
 Spencer, hon. W. R., death, 243
 Spirits, duties on, [293]
 St. Sebastiano Valfri, added to the Romish calendar, 129
 Stanley, Mr., resigns his seat in the cabinet, [42]; his speech on Irish church affairs, [49], ditto, [73]; ditto, reproaching ministers with want of principle and consistency, [87]; his speech relative to Canada, [324]; notice, Mr. Hume's letter respecting him, *ib.*, *note*.
 Steam-boat, loss of the William Penn by fire, 29
 Steam navigation to India, 332
 Steinburg, murder and suicide by, at Pentonville, 138
 Sudbury election, 96
 Suicides; Theodosia White, 6; Rev. W. Goddard, of Charlton Kings, 57; Steinburg, a German, at Pentonville, destroys himself after murdering his family, 139
 Sweden: the king's speech at opening of the diet, 346
 Switzerland: invasion of Savoy by Polish refugees, [449]; they soon lay down their arms, [450]; conduct of the Cantons in regard to these disturbances, [451]; representations made by Austria, Prussia, &c. *ib.*; satisfactory reply of the Cantons, *ib.*; proceedings of the democratical faction, *ib.*; meeting of the Swiss diet at Zurich, [452]; parties in the diet, *ib.*; Neuchatel applies to be severed from the Swiss confederation, [453]; discussions as to the revision of the federal pact, [454]; other proceedings of the diet, *ib.*
 Tables: public income, 252; public expenditure, 254; disposition of grants, 255; price of stocks, 281; corn, 282; hay, *ib.*; butcher's meat, *ib.*; bills of mortality, 283; bankrupts, *ib.*; weather, *ib.*
 Tea trade and duties, debate on, [281]; increased quantity to be brought into the market, [284]
 Tea trade, meeting relative to regulations of, 19.
 Telford, Thos., engineer, death, 236.
 Tennent, Mr. Emerson, speech in favour of maintain the union, [25]
 Tennyson, Mr., his motion for shortening the duration of parliaments, [302]
 "Thetis," care of salvage, decided, 301
 Thirty-nine Articles, the, on the subscription to them required by the universities, [193]
 Tide, extraordinary high one in the Thames, 8
 Tithes, Irish [6] provisions of the bill for their extinction, [65]
 ——— commutation of, petition for, from Devonshire, [214]; ministers' plan for it, brought forward in the Commons, [215]
 Trades' unions, administration of unlawful oaths, by, 106
 Trials: Jeremiah Barrett, robbery, 2; W. Collier, forgery on Bank of England, 3; J. Crofts, robbery, 13; Patrick Martin and Maria Canning, murder of Canning's husband, 16; Champes and Madame Ruidiaz, robbery of M. Ruidiaz, 22; M. Cabet, articles in the Populaire, 27; J. Loveless, &c.; administreing unlawful oaths, Dorchester, 39; J. N. Reeve, stealing money, &c. belonging to Mrs. Pyne, 42; J. & M. Jones, highway robbery, 44; Patrick Waters, murder, 45; Alford Rae, assault, 48; J. Ratcliffe, manslaughter, 50; trial of twenty members of the Société des Droits de l'Homme, Paris, 61; B. Gardiner, murder of P. Feeney, a serjeant, 102; Robert Malone, murder of Mr. Leonard, in 1833, 104; T. R. Davis, forgery, 288; J. Mosley and W. Garside, murder of Mr. Ashton, 290; G. Maltby, &c., miners, murder, 296; G. Webb, manslaughter, 305; M. Devine, &c. murder, 309
 Turkey, treaty of alliance with Russia [464]; improved regulations relative

I N D E X.

- to taxes, *ib.*; the Greek patriarch deposed by the Sultan, *ib.*; insurrection against Mehemet Ali, Pacha of Egypt, at Naplous, [465]; Mchemet himself proceeds against the insurgents, who are reduced to obedience, *ib.*; revolt in Aleppo, &c., *ib.*; attempt on the part of the Sultan to engage Russia against Egypt, [466]
- Ude, M., cook, at Crockford's, summons against, 101
- Union, the, Mr. O'Connell's motion for repeal of, and debate on, [18]
- Unions, trades', assemblage and procession of, with petition, to Lord Melbourne, 58
- Unionists, trades', riot of, at Oldham, 58
- United States, the bill for satisfying its pecuniary claims on France, rejected by the Chamber of Deputies, [361]; the Bank question, [467]; contest between the president and Senate, *ib.*; substitution of a metallic currency, [468]; elections for a new Congress, [469]; disturbances at New York occasioned by the hostility to negro emancipation, *ib.*; American banks, 350; table of United States' Debt, &c., 351; president's message, 352; relations with European governments, *ib.*; indemnity received from that of the Two Sicilies, 353; survey of the boundary line between the United States and Mexico, 354; non-performance of its promises of payment on the part of the French government, 355; the conduct to be pursued in regard to it, by the American government, 361; state of the finances, 362; mal-practices on the part of the bank of the United States, 363; recommended that it be separated from the government, 364; gold coinage, 366; repulse of the predatory Indian tribes, 367; arrangements for the removal of various tribes, *ib.*; regulations as to pensions, 368
- Universities, examinations at Oxford, 284, at Cambridge, 286
- Universities, petitions for admitting Dissenters to [169], [171]; counter-petitions, [174], [175]; Mr. Wood's bill for granting their admission, [175]; consequences of the American system of excluding religious instruction, [184]; the bill passed in the Commons, [191]
- Upham, Edw., death, 207
- Uregg, Count, extraordinary murder of, in Germany, 28
- Vienna, congress of the German States, at, [654]
- Voyage, extraordinary one accomplished by the 'Circe,' 57
- Ward, Mr., his motion for a reduction of the Irish Church Establishment, [37]
- Wathen, Capt. Aug., tried by court-martial, and consequent removal of Lord Brudenell from the command of the 15th Hussars, 11
- Wellesley, Marquis, his correspondence with Earl Grey respecting the Irish Coercion Act, [101]; his change of opinion relative to do., [111]
- Wellington, Duke of, speech on the address, [3]; remarks on affairs of Spain and Portugal, [4]; Egypt, [5]; church property, *ib.*; Irish coercion bill, *ib.*; Irish tithes, [6]; speech relative to the Irish commission, [63]; observations on Earl Grey's speech on his resignation, [119]; speech on Lord Althorp's modified Coercion bill, [142]; speech on the Irish Tithe bill, [160]; on the Poor Laws bill, [243]; his installation as chancellor of Oxford, 78
- Westmeath, Marchioness of, amount of alimony awarded to, by the privy council, 173
- Wexford election, transactions respecting, between Mr. Littleton and Mr. O'Connell, [103], [108]
- Wharnccliffe, Lord, speech relative to Irish Coercion bill, and the ensuing change in the ministry, [127]
- Wicklow, Earl of, moves for a copy of the Irish church commission, [56]
- Will, trial respecting forgery of one, 311
- Williams, Dr. G., death, 206
- Wood, Mr., brings in a bill for the admission of Dissenters to the Universities, [175]; unable to explain the purport of some of its clauses, [187]
- Wordsworth, poems by, 327
- Workhouses, effect of the new Poor Laws' bill in regard to, [230]
- Wynford, Lord, his motion and speech against the Poor Laws' bill, [241]
- Wynn, Mr. C. W., his speech against the bill for admitting Dissenters to the Universities, [179]
- Zumalacarregui, commander of the Carlist troops, defeated by the royalists in Spain, [378]; his ordinance against the royalists, [379]

.

;

**THE UNIVERSITY OF MICHIGAN
GRADUATE LIBRARY**

DATE DUE

SEP 9 1977

JL 9 9 1983